



Uttlesford District Council

Chief Executive: Dawn French

Scrutiny Committee

Date: Thursday, 21st March, 2019

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, J Davey,
P Davies, 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. A time limit of 3 minutes is allowed for each speaker. Please refer to further information overleaf.

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 - 14

To consider the minutes of the previous meeting and the scrutiny status report.

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 15 - 20

To receive the updated Cabinet Forward Plan.

7 Scrutiny Work Programme 2018-19 21 - 22

To receive the Scrutiny Work Programme for 2018-19.

8 Street Services update 23 - 32

To receive the Street Services update report, including the Waste Education action plan.

9 Consultant's Brief for Uttlesford Housing Strategy and Allocations Policy 33 - 44

To consider the Consultant's Brief for Uttlesford Housing Strategy and Allocations Policy report.

10 Memorandum of Understanding 45 - 56

To consider the Memorandum of Understanding between Cabinet and the Scrutiny Committee.

11 Investment Steering Group 57 - 62

To consider the Investment Steering Group report.

12 Major Planning Applications Review Update 63 - 68

To receive an update on the Major Planning Applications review.

13 Scrutiny Annual Review 69 - 76

To receive the Scrutiny Annual Review 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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Agenda Item 2

SCRUTINY COMMITTEE held at COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on THURSDAY, 31 JANUARY 2019 at 7.30 pm

Present: Councillor A Dean (Chairman)
Councillors H Asker, G Barker, R Chambers, J Davey, P Davies, G LeCount, B Light and E Oliver

Officers in attendance: R Auty (Assistant Director – Corporate Services), B Ferguson (Democratic Services Officer), A Knight (Assistant Director – Resources) and A Webb (Director - Finance and Corporate Services).

Also present: Councillors S Barker (Portfolio Holder Environmental Services), S Howell (Portfolio Holder for Finance and Administration) and H Rolfe (Leader of the Council); and R Pavitt.

SC23 **PUBLIC SPEAKING**

Mr Pavitt asked a number of questions relating to the Council's Investment Strategy, with particular regard paid to the 50% purchase of Chesterford Research Park (CRP). Questions involved the subject of risk and whether the Council had contravened government regulations by undertaking borrowing to fund the investment.

Mr Pavitt's statement and questions in full have been appended to these minutes.

The Chairman said the Council did have an Investment Strategy in place for the 2018-19 financial year, which had been considered by the Committee in September 2017, although there was still a need to address the wider issue of governance surrounding Council investments. He thanked Mr Pavitt and said he would receive a formal response to his questions in the near future.

SC24 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Harris and Lemon.

SC25 **MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of the meeting held on 20 November 2018 were approved as a correct record.

The minutes of the meeting held on 15 January 2019 were approved as a correct record subject to appending the written public statements submitted at the meeting.

With regards to the status report, the Chairman said reports relating to affordable housing and the review into the Council's handling of major planning applications would be brought to the next meeting.

SC26 **CABINET FORWARD PLAN**

In response to a Member question relating to the Council's Health and Wellbeing Strategy, Councillor Rolfe said the strategy originated with Uttlesford's Local Strategic Partnership (LSP), a collaboration of organisations aiming to facilitate 'living well' lifestyles across the district through a matrix of activity. Partners, such as the health sector, as well as UDC, contributed to the budget of this strategy.

SC27 **SCRUTINY WORK PROGRAMME**

The Chairman said a report on affordable housing would be added to the agenda for the meeting on 21 March.

The Director – Finance and Corporate Services said there would be an increase in the number of Scrutiny meetings in the new municipal year, to allow for better pre-scrutiny of cabinet items.

SC28 **BUDGET REPORT 2019/20**

Councillor Howell, as Portfolio Holder for Finance and Administration, presented the budget reports for 2019-20. He said the format was different from previous years, with each budgetary scheme being applied as an appendix to the overall covering report, as each report could not be seen in isolation, but rather as part of a longer term narrative. He said he would highlight areas of the budget which he believed were of importance to the Committee.

Treasury Management Strategy

Councillor Howell highlighted the balance sheet summary and five year forecast, which showed the Council's actual borrowings as of November 2018 as well as likely borrowings in the next five years. He said there was a change to the lending limit to local authorities, from £6 million to £3 million.

Capital Strategy

Capital expenditure for 2019/20 was estimated to be £17 million. This was due to the renewal of the street services fleet, ICT development projects and the asset maintenance programme.

Councillor Howell drew the Committee's attention to the Minimum Revenue Provision Statement 2019/20 which stipulated that where the council finances capital expenditure by debt, it must put aside resources to repay that debt in later years.

Capital Programme

Nearly £35 million had been allocated to the Housing Revenue Account (HRA) for the next five years (2018/19 to 2023/24). This was to fund the developments at Reynolds Court, Walden Place and Hatherley Court. These projects had received the approval of the Housing Board.

Housing Revenue Account

The Council was still committed to investing in housing stock, particularly sheltered housing schemes, and since the introduction of self-financing had built over 100 homes. As government policy regarding borrowing caps had recently changed, officers were looking into the new financing rules to ascertain whether there would be an opportunity to do more.

General Fund and Council Tax 2019/20

Members were informed of the proposal to increase council tax by 2.99% which would mean a Band D household would pay £151.61 for 2019/20, compared to £147.21 in 2018/19.

A surplus of £2.2 million had been identified for 2019/20.

Councillor Howell said the Council had worked hard to protect the budget and most departmental budgets remained unchanged.

In terms of the General Funds Reserve, significant sums had been ring fenced for the Waste Depot relocation project and for strategic initiatives.

Section 25 report – Robustness of Estimates and Adequacy of Reserves

Councillor Howell highlighted the Medium Term Financial Strategy (MTFS) which showed an accumulative deficit over the next five years. To address this deficit, the Investment Strategy recommended the approval of £100 million of borrowing for investment to generate additional income. He said any use of this borrowing would be brought to Full Council for members' consideration although now would be the time to ensure the Council had the necessary income to maintain the level of services it provided. Due to the substantial changes to government funding of local authorities, the Council was facing a deterioration in finances over the next five years, which, in part would be mitigated by the investment in CRP. He said this was a binary choice; either the Council cut services or generated additional income through strategic investments.

Investment Strategy

Councillor Howell said further investments would be required if services were to be maintained at their current level. It was anticipated that the Council would need to borrow £80 million to fund investments, and £20 million for loans to Aspire (CRP) in the next three years. The Council's preferred investment route was to acquire commercial property in the district, however such opportunities were rare and therefore opportunities would be sought in neighbouring counties and UK wide, if necessary. He stressed that whilst there were many opportunities out there, it was critical that the Council only invested in the 'right' project.

In conclusion, Councillor Howell said the Council would have to work hard to manage its finances in the foreseeable future although he believed the current budget provided the tools to navigate the Council through an anticipated difficult five years.

The Chairman thanked Councillor Howell for his presentation and asked members to raise any questions they had regarding the budget.

In response to a Member question, the Assistant Director – Resources said 0% budgeting had been applied to a number of service areas including Customer Services, Performance and Revenues. She said that next year the MTFS would dictate where the Council focused next.

In response to a Member question, the Director – Finance and Corporate Services said the budget had been stress tested and finances could go into the negatives depending on the variable applied.

The Chairman asked why the Council had not taken advantage of the removal of the borrowing cap and invested more in council housing.

Councillor Howell said the Council had demonstrated its ambition in building council houses but much work was still required to ensure any additional borrowing was commercially prudent.

The Chairman suggested that they further explore the role of scrutiny in the governance of council investments.

Councillor Howell said he agreed in principle but this would only work if all councillors were behind the project; if Members were partisan, investments would fail. He said it was damaging to the Council and its partners if Members continued to debate commercial projects in the public domain. A mechanism would need to be established whereby Members could engage in private debate without harming the commercial prospects of an investment.

Councillor Light said she would like to see an independent board of experts established to oversee the Council's investments.

Councillor Howell said he disagreed as he believed responsibility should be shouldered by Members, who were democratically accountable to the electorate.

In response to a request from the Chairman, Councillor Rolfe said the Council was lobbying central government to send the message that there was a limit to the degree of funding cuts that the Council could sustain.

In response to a Member question about the procurement of new refuse vehicles, the Director – Finance and Corporate Services said options were explored at the evaluation stage of the process but 'green' refuse vehicles were not available.

In response to a Member question regarding investment opportunities, Councillor Howell said partnerships with other local authorities would be considered if the right project could be found.

Councillor Oliver said every council in the UK would be looking for similar opportunities to make investments and urged the Council to be cautious if it was to invest in areas other than the immediate locality.

The Director – Finance and Corporate Services said an Investment Action Plan would be brought for the Committee's consideration if the Investment Strategy was approved by Full Council on 21 February 2019.

The meeting ended at 9.00pm.

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Thank you Mr Chairman.

I wrote to you in October with questions relating to the council's purchase of 50% of Chesterford Research Park. These questions remain unanswered. I fail to see why it should take quite so long to respond to what are straightforward questions, so I will restate those questions and expand on a number of points.

The Govt is on record as saying the prime duty of a local authority is to provide services to local residents, not to take on disproportionate levels of financial risk by undertaking speculative investments, especially where that is funded by additional borrowing and is to fund yield generation.

Where I refer to Govt regulation it is to the **STATUTORY GUIDANCE ON LOCAL GOVERNMENT INVESTMENTS** as issued under the Local Government Act 2003.

Returning to my questions:

1. Would you consider that Chesterford Research Park represents a disproportionate level of financial risk, especially as the council has, in effect, put all its money on a single bet?
2. Did the council at that time have an "Investment Strategy" approved by full council as laid down in statutory Guidance? To my knowledge there was no such strategy.
3. Do the elected members and statutory officers involved in the investment decision-making process have the appropriate capacity and skills?
4. The declared purpose of the investment was to generate income. I recall seeing the term "*to plug the gap in the council's income.*" The following guidance in a Q&A on the Ministry of Housing, Communities & Local Government web site states: "*borrowing solely to fund yield generating investments is borrowing in advance of need.*"

With the foregoing in mind, why did the council ignore Government regulation that states: *Authorities must not borrow more than, or in advance of their needs purely in order to profit from the investment of the extra sums borrowed.*

The council has since sought to justify the purchase as having multiple objectives but that appears little more than convenient retrofitting.

In conclusion, it appears that the council not only contravened regulations but also made the investment and borrowing without a published investment strategy that demonstrated a full appreciation of the risks and the market it was operating in.

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Scrutiny Items – March 2019 Status Report

Item	Status with Scrutiny	Latest note	Status
CfPS review	Memorandum of Understanding presented to March 2019 committee meeting	<p>Memorandum of Understanding developed by officers and discussed by Scrutiny Chairman and Cabinet representative. Requires Scrutiny and Executive approval.</p> <p>Remaining work to enact CfPS recommendations will be followed through with new committee</p>	Open
Process of dealing with major planning applications	Update report at March 2019 committee meeting	Centre for Public Scrutiny has given advice. Officers in discussion with Planning Advisory Service	Open
Airport Parking	Report discussed at November 2018 meeting	Update report on work being done requested for six months' time. This has been provisionally scheduled for next available meeting after that date (4 June)	Open

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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
Budget Outturn - 2018/19	Cabinet	18 Jul	Actual budget spend for GF, HRA and Capital for 2018/19	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Budget Outturn 2019/20 - Qtr.1 Forecast	Cabinet	18 Jul	Predicted budget spend on GF, HRA and Capital	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Local Council Tax Support Scheme Proposals 2020/21	Cabinet	18 Jul	To propose the LCTS scheme contribution rate and any changes to discounts and premiums	Yes	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk

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
Officers Write Off - 2018/19	Cabinet	18 Jul	annual report on officer write offs less than £10k	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Procurement Strategy - 2019/20	Cabinet	18 Jul	To set the strategy for financial year 2019/20	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Treasury Management Outturn 2018/19	Cabinet	18 Jul	Outturn for TM, investment and borrowing for 18/19	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Budget Outturn 2019/20 - Qtr. 1 Forecast	Cabinet	5 Sep	budget prediction for 19/20 - GF, HRA and Capital	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk

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
Budget Outturn 2019/20 - Qtr. 2 Forecast	Cabinet	26 Nov	Predicted spend for 19/20 - GF, HRA and Capital	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Budget Strategy and Funding update 2020/21	Cabinet	26 Nov	To present the budget consultation responses and provide an update on the budget strategy for 20/21 including the outcomes of the central government funding reviews	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Capital Strategy Mid-Year Review	Cabinet	26 Nov	To update members on the capital financing position	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Investment Strategy Mid-Year Review	Cabinet	26 Nov	To update members on the status/progress of the non treasury investments	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk

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 Council Tax Support Scheme 2020/21 consultation responses	Cabinet	26 Nov	To present the responses of the consultation for the 20/21 LCTS scheme	Yes	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Treasury Management Mid-Year Review	Cabinet	26 Nov	To update members on the current investments and borrowing (cashflow not commercial)	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Budget Outturn 2019/20 - Qtr. 3 Forecast	Cabinet	13 Feb	Predicted budget spend for 19/20 - GF, HRA and Capital	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk
Medium Term Financial Strategy and Budget Proposals - 2020/21	Cabinet	13 Feb	MTFS, Section 25 report and proposals for 20/21 budget GF, HRA and Capital. To include Strategies for Treasury, Capital and investments	No	Open	Portfolio Holder for Finance and Administration	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk

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Date	21 March	11 June	25 June	31 July (if required)	24 September	5 November	17 December	4 February	10 March
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	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	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								
	Cabinet Forward Plan								
	Scrutiny Work Programme								
Page 21 Agenda items	Waste Education action plan update	Airport Parking update	LCTS draft scheme 20/21			LCTS 20/21 and consultation responses		Budget 20/21	Annual Report
	Consultant's Brief for Uttlesford Housing Strategy and Allocations Policy	Work Plan discussion	Major Planning Applications Review update*			Budget Strategy 20/21 and consultation responses			
	Memorandum of Understanding								
	Investments Steering Group								
	Major Planning Applications Review update								

Annual Report									
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***Further items will be scheduled once timetable for review is finalised**

Agenda Item 8

Committee:	Scrutiny Committee	Date:	21 March 2019
Title:	Street services update including waste education action plan		
Portfolio Holder:	Councillor Susan Barker, Portfolio Holder for Environmental Services		
Report Author:	Ben Brown, Assistant Director – Environmental Services 01799 510557	Item for decision:	No

Summary

1. Scrutiny Committee previously considered a report detailing the Council's Waste Education and awareness plans. It was agreed that the Committee would receive a progress report after six months. This report provides that
2. The overall aim of the plan is to increase participation in the Council's recycling services and to help reduce contamination levels. The Committee heard that providing good quality, clean material for reprocessing is critical for ensuring higher material incomes from the sale of recyclables.

Recommendations

3. The report is for information only.

Financial Implications

4. Service budgets are set using assumptions about the state of the market for recyclable materials going forward. The rates ultimately obtained for sale of materials are affected by global market conditions and demand. Whilst the Council is not able to influence volatile markets conditions, it does use longer term materials contracts to even out variations in price. A waste reserve has been established which can be used to offset short term drops in material values.
5. Waste education initiatives are critical to ensuring that residents understand the types of materials that should be presented for collection. It is hoped that with the appointment to the post of Waste and Recycling Officer that issues such poor participation and contamination can be addressed and the Council's historical good recycling performance can be maintained.

Impact

6.

Communication/Consultation	Continuation of clear communication regarding quality of recyclables.
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

7. APPENDIX 1 sets out a high level action plan for waste education and awareness plan which aims to increase participation in the Council’s recycling services and to help reduce contamination levels. The plan takes into account feedback from the Council’s reprocessing contractors, the views of the collection staff ‘on the ground’ as well as county / nationwide waste education initiatives. The key aims of the plan are to :-
- Reduce the level of contamination in the recycling collection services
 - Increase participation in the food waste collection service
 - Promote and encourage waste minimisation
 - Empower schools and the wider community with increased knowledge regarding recycling and waste minimisation.
 - To help schools to reduce the amount of residual waste they produce
Improve capture rates of higher value materials
8. Crew feedback will be used to ascertain areas where participation is lower than elsewhere in the district or where contamination is higher. In Uttlesford,

like many other parts of the UK, lowest participation rates are generally found in newer communities where the residents are, on the whole, time poor and perhaps have less interest in environmental issues. These areas will be the focus of initial waste education programme.

9. The waste and recycling officer has made with all schools with catchment areas within poor participation rates. Nine schools are actively engaged in waste education and workshops have been held. Pupils take home positive recycling messages and this is a proven technique in raising awareness.
10. As a secondary activity these schools will be offered a mini afterschool recycling roadshows. Each school will be visited to promote this idea and to get as many schools on board as possible. Families can often be a difficult group to reach out to and it is hoped that an after school roadshow held in the school grounds will be a good way to target this group.
11. As well as waste and recycling the school visits cover resource usage and connected issues such as littering. School litter picking sets have been purchased and these are available to hire / borrow when carrying out their own events. A litter specific assembly will be offered to schools focussing on littering and the impact it can have on the local environment.
12. In addition to school visits officers have carried out waste awareness exercises at markets, supermarkets giving out free reusable bags and items to help minimise food waste. A composting workshop has been arranged for 6 March at Great Dunmow to help support residents that want to home compost.
13. Collection crews have been supplied with bin hangers (Appendix 2 shows an example) which are designed to highlight to residents where the wrong items have been presented for collection.
14. Visits have been carried out to some premises that share communal bins to raise awareness of the waste services provided by the Council and the purpose of the containers. Bin stickers have been designed for communal 1100 bins clearly showing which items should go into each bin. Bins across the district are currently having the correct signage placed on them as part of the Oh No! campaign
15. The Council has supported community clear ups by providing materials such as litter pickers and arranging to collect items that have been collected.

Risk Analysis

16. The waste education programme is specifically designed to improve participation in the district's recycling services and is in effect designed to help mitigate some of the financial risk associated with waste services.

Risk	Likelihood	Impact	Mitigating actions
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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.

Waste Education and Awareness Plan for Uttlesford District 2018-2024

Uttlesford District Council is keen to educate the next generation about waste and the associated environmental issues. The Waste Education and Awareness Plan (WEAP) aims to promote and encourage the 3Rs (Reduce, Reuse and Recycle) and the wider sustainability agenda in Uttlesford schools and their local communities. Educating children about environmental issues is an essential component to achieving a more sustainable future.

Alongside targeted efforts to reach school age children the action plan aims also to reach out to local communities.

The aim of the Waste Education & Awareness Plan is to :-

- Reduce the level of contamination in the recycling collection services
- Increase participation in the food waste collection service
- Promote and encourage waste minimisation
- Empower schools and the wider community with increased knowledge regarding recycling and waste minimisation.
- To help schools to reduce the amount of residual waste they produce
- Improve capture rates of higher value materials

Objectives

- To enable 100% of schools to recycle by 2024
- To support and assist schools to compost on site by 2024
- To help schools who are engaged with the WEP to reduce contamination levels in their recycling bins
- Through the sharing of knowledge with parents/guardians a reduction in contamination in the recycling collection service
- A higher participation rate of the food waste collection service
- To assist schools with carrying out waste audits and developing waste minimisation plans
- To see a rise in the amount of higher value materials in the recycling collection
- To monitor the effectiveness of the plan and to keep accurate data

Primary School Programme

Primary schools have been identified as an opportunity to develop and increase pupils and staffs knowledge of the importance of recycling and waste minimisation. Primary schools have also been know as a channel to educating the wider community , as pupils will often share the information and knowledge gained with their families/caregivers and the wider community around them.

Therefore the target audience of the WEAP will be Primary School Pupils, Primary School Staff and Parents/caregivers and then the wider family and community.

The WEP will introduce and build on the pupils understanding and knowledge of waste minimisation and recycling (focussing on Uttlesfords recycling collection system) an emphasis will be placed on reducing contamination and promoting recycling at home.

A range of activities will be made available to the School and will utilise a range of resources such as class worksheets, paper making kits, a wormery, waste audit kits and recycling props.

These will be used to deliver a wide range of education activities which will include and not be limited to;

Reduce, Reuse and recycle

introduction to the world of waste, the waste hierarchy and learn about the environmental impacts of landfill. Pupils will learn about what can be recycled in the Uttlesford District and how non-recyclable items should be disposed off. We will finish the session with a game of recycling bingo and a 'rubbish relay' to check the pupils understanding and knowledge.

Paper Making

The paper making activity teaches pupils about the natural resources required to make paper and why these need to be preserved. We will then look at how paper is recycled and then they can have a go at making their own paper

Wonderful world of worms

This session allows pupils to investigate the world of vermicomposting (wormeries) a real life working wormery will be brought into school and the pupils can learn all about nature's top recyclers. They can gently handle the worms, identify the main parts, and learn about their diets and what products the worms produce. Children can even make their own composting or wormery bottles to see the waste decompose into compost before their very eyes.

Waste Audit

This is a practical hands on activity that pupils can carry out in school to identify the main waste materials and waste hotspots at school. Pupils will collect samples of waste which will then be sorted by material type and then weighed. This information can then be used to pinpoint what your school can do to reduce the amount of waste you produce and this in turn can help to develop a waste minimisation plan specific to your school. The waste audit will be carried out over 3 sessions

- Planning the waste audit
- Carrying out the waste audit
- Results and producing a waste minimisation plan

Waste free lunch

A large percentage of the waste that a school produces comes from lunchtime. A waste free lunch is a challenge to everyone to make as little rubbish as they can from their lunch (including the Teachers). It can start off as a one off event but it could become a regular

activity. We will start off by first carrying out a mini waste audit on a typical lunchtime; we will then introduce the concept of the 'waste free lunch' and plan the event. A week later we will hold the waste free lunch challenge and carry out a repeat waste audit to see if the waste free lunch challenge has made a difference to the amount of waste produced.

The WEAP will be evaluated through the use of session feedback forms completed by the teachers, presenter self-evaluation and anecdotal feedback from both teachers and pupils.

The WEAP will at first be focussing on schools which have been identified as being in areas where participation in the recycling scheme or the food waste scheme is lower, contamination rates are high or newer communities.

Target areas

Firstly schools which are deemed to be in areas where participation in the recycling /food waste scheme is low or contamination is high will be targeted first. This information will be gained by getting feedback from our collection crews.

Once Schools in the target area have been visited the WEAP will be rolled out across the whole of the district. It is hoped that a long term relationship will be built up with the schools engaged in the WEAP. This in turn will hopefully lead to a decrease in the amount of residual waste a school produces, a higher (and contamination free) recycling rate and a mini informed, engaged and knowledgeable recycling officer sent home to every household to help their family to recycle more and to recycle right.

Participation and engagement

Schools will initially be contacted by email. The email will introduce the waste education programme and will detail the activities which the school can avail. The school will directly contact the waste and recycling officer to arrange any activities and to book these into the calendar. If no response is received from a School in a target area the recycling officer will follow up with a phone call to explain and encourage participation in the WEAP.

The information will also be made available on the Uttlesford District Council website under recycling in schools (currently being rewritten).

Education in the wider Community

Even though educating children about waste and recycling will be a priority for Uttlesford District Council, it is just as important that every resident has access to the correct information and feels empowered to make the correct choices when dealing with their waste.

During the year UDC will be running recycling events including roadshows during Recycle Week. We will be meeting with residents and giving them the opportunity to ask any questions they may have about the schemes we run. In turn we will be spreading our recycling message, and getting our key messages about contamination in the recycling bin and improve the participation rate of our food waste scheme.

Early in 2019 we are also hoping to run some composting workshops for our residents. They would be able to learn the basics of home composting and would also offer advice to any residents who have tried in the past but faced difficulties and given up. These workshops would be free of charge.

Also in 2019 we will hope to launch the recycleopedia app. Recycleopedia is the recycling search tool that makes it simple for our residents to work out what should go into each collection service. It is currently available on the UDC website but the app should be released by early next year. Since its launch in 2017 the item search numbers are continuing to climb so our residents are making good use of this tool.

We will continue to promote the use of cloth nappies and the associated benefits to our residents. There is a £30 refund offer which is provided by Essex County Council for residents who do use cloth nappies or a laundering service. Leaflets outlining the refund offer will be made available during our recycling events and we hope to promote this to local baby groups such as the NCT and the baby weigh in session which is run at the local community hospital.

If any community groups such as the Scout or Girl Guide associations, neighbourhood watch, Women's Institute or U3A groups wish to have a visit from the waste and recycling officer this service will be available to them.



Thank you for recycling

Unfortunately there were some items in your bin which we can't collect for recycling, which means it couldn't be emptied today.

Please remove these items before your next collection.

Black bags

Food

Garden waste

Nappies

Polystyrene

Textiles

For all enquiries on waste and recycling collections, Telephone: 01799 510510
Email: uconnect@uttlesford.gov.uk
www.uttlesford.gov.uk/recycling



Committee:	Scrutiny Committee	
Title:	Consultant's Brief for Housing Strategy and Allocations Policy Evidence	Date: 21 March 2019
Portfolio Holder:	Councillor Julie Redfern Portfolio Holder for Housing	
Report Author:	Simon Payne, Local Plan Project Manager 01799 510465	Item for decision: Yes

Summary

1. This report considers a draft Consultant's Brief for work on the future Uttlesford Housing Strategy and Allocations Policy.

Recommendation

2. That the Board endorses the attached brief so that work can commence on preparing the evidence for the refresh of the Uttlesford Housing Strategy and amendments to the Allocations Policy.

Financial Implications

3. The commissioning of this consultant's work will be subject to a competitive tender. The costs of the work will be funded from provision in the Council's 2019/20 approved budget in relation to the delivery of the proposed Garden Communities.

Background Papers

4. No additional papers were referred to by the author in the preparation of this report.

Impact

- 5.

Communication/Consultation	No impact to date. Future work programme will address consultation and stakeholder programme.
Community Safety	No impact
Equalities	Positive impact given that the potential changes will support a mixed and balanced

	community within each Garden Community.
Health and Safety	No impact
Human Rights/Legal Implications	No impact
Sustainability	Potential positive impact given that widening the allocations policy to include workers will reduce the need to travel and also support the local economy.
Ward-specific impacts	No direct impacts
Workforce/Workplace	Positive impact given that the potential changes could also apply to workers that comply with household income criteria.

Situation

6. On 25th September 2018 the Scrutiny Committee received a detailed report about work to be done on the Council's affordable housing policy in the light of the proposed Garden Communities in the district. The Committee recommended that further work be done to allow the Uttlesford Housing Strategy to be refreshed. In particular the Committee noted the following interim ideas outlined in the report:
- changes to the affordable housing allocations policy to allow workers on permanent contracts within the district to be eligible subject to household income criteria;
 - adoption of the term 'truly affordable homes';
 - consideration of eligibility to include workers within the immediate vicinity of proposed Garden Communities that adjoin the district boundary;
 - consideration of allowing under-occupation of affordable housing for families with opposite sex children below the age of 10;
 - investigation of alternative intermediate home ownership products such as Community Land Trust homes not delivered by Housing Association Partners; and
 - adoption of strategies and policy that are adaptable over time.
7. These deliberations reflect the Council's key objectives which are set out in the Uttlesford Regulation 19 Local Plan and are derived from the Town and Country Planning Association Principles for Garden Cities and are as follows:

- to secure mixed and balanced communities from the start of the development linked with the timely delivery of social and physical infrastructure;
 - to ensure that affordable housing provision not only addresses people on Uttlesford housing waiting list, or those in Council or Housing Association properties, but also delivers housing at suitable prices for local workers, their families and older people wanting to stay near their existing community who cannot afford market housing; and
 - to bring forward homes that meet the needs of those who will have a long term need for affordable housing including for older people.
8. Officers have now prepared a brief for obtaining the evidence for a refresh of the Housing Strategy in line with the report considered by Scrutiny Committee last September. The draft brief has been written in consultation with officers at Braintree District Council (BDC) and Essex County Council to ensure consistency with emerging proposals for the whole of the West of Braintree Garden Community. BDC officers have commented on the importance of the future Housing Strategy being able to evolve to respond to changing needs over the full 25 year delivery phase of the new communities. It is recommended that consultants are commissioned given the amount of work involved and also the potential to bring in specialist expertise to these new areas of housing policy.
 9. It is expected that the work, and associated evidence base, will take three to four months to complete. The Garden Communities Master Developers will be consulted in analysing the evidence. It is recommended that the results of the work are reported back to the Housing Board and Scrutiny Committee prior to formal public and stakeholder consultation. This timing will allow the conclusions to inform the emerging Garden Community Development Plan Documents as well as considering the wider implications for the Council's Housing Strategy.

Conclusions

10. The attached brief covers the issues previously considered by the Scrutiny Committee and members are requested to support the brief in order to refresh the Council's Housing Strategy and Affordable Housing Allocations policy. This report is also being considered by the Housing Board on 14th March.
11. The next scheduled Cabinet meeting is on 13 June 2019. In the event that the Board and Scrutiny Committee endorse the brief, and in order to make progress on this work, then officers will approach the Leader to ask him to make an urgent decision to allow this work to be initiated promptly.

Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
The local housing needs of the district are not met	3	Continued and increasing inward and outbound commuting	Prepare and improve a new policy for the Housing Strategy

- 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.

Appendix

A Housing Strategy for the Garden Communities in Uttlesford

Brief for the development of a Garden Communities Housing Strategy

Background information

Uttlesford District Council propose to deliver 18,500 new homes and jobs in three new Garden Communities at North Uttlesford, Easton Park and West of Braintree (the latter proposal is part of a single new settlement of up to 13,500 new homes in partnership with Braintree District Council).

The new communities will be built over the next 25 years and will be designed to support a high quality of life for all and create healthy, safe and vibrant places for living and working. The new communities will be developed in accordance with garden city principles defined by the Town and Country Planning Association. These principles include, creating environmentally sustainable communities of mixed tenure homes and housing types promoting a vibrant local economy with community ownership of land and the long term stewardship of assets.

North Uttlesford Garden Community

This Garden Community is expected to deliver 1,925 homes and jobs by 2033 including affordable homes to create a sustainable and balanced community. Local employment sectors include the internationally renowned Chesterford Research Park, delivering innovative research with links to the University of Cambridge. Other Science Parks with world leading businesses and research are nearby, including the Wellcome Genome Campus, Granta Park and Babraham Research Park.

Easton Park Garden Community

The number of homes and jobs expected to be delivered by 2033 amounts to 1,925. The biggest employer locally is Stansted Airport which provides services to Europe and beyond. The Airport has granted permission to increase the number of passengers it serves annually to 35 million with support for a further increase to a total 43 million per annum. This will require additional personnel and support staff.

West of Braintree Garden Community

This Garden Community is being delivered in partnership with Braintree District Council and the North Essex Garden Communities Company. It is expected that 3,470 new homes will be delivered by 2033 (of which 970 will be within Uttlesford district). Braintree District has higher percentage of people working in construction, manufacturing and professional services, than Essex does as a whole.

Local Plan Preparation

Uttlesford District Council has submitted a Local Plan to the Secretary of State for Examination which is expected to take place in Summer 2019. The Braintree Local Plan has also been submitted and an Examination is due to resume in the Autumn 2019 pending the preparation and consultation of further evidence.

Scope and objectives of the Housing Strategy.

There is often a mismatch between the type of new housing being delivered (in tenure, cost, design and delivery) and objectives of creating mixed and balanced communities which provide residents with the choice to live and work locally and to take an active role in their community.

The importance of this work is not only to ensure there is a mixed and balanced range of people living from the outset in the new communities, but also to ensure that housing provision supports a strong vibrant local economy, reduces the need to travel and supports high quality sustainable lifestyles.

The project will take a different approach to the issue by focussing in on the range and type of job opportunities that will arise in the new communities (for instance in education, social care or neighbourhood business) and then examine the delivery of housing options that will be affordable and attractive to these employees. The approach will be entirely consistent with the Town and Country Planning Association Garden City principles.

In addition, the project will assess the scope for using new technologies to support and encourage remote and homeworking through the provision of measures such as neighbourhood technology hubs. Employment will be defined broadly and include activities that promote enterprise, community development and the creative arts.

Overall aims of the Garden Communities Housing Strategy:

- To prepare a study that explores how decisions on housing types and tenure can help enable economic growth in key local and public sectors as well as reduce poor air quality by commuters in private cars. This will include an analysis of deliverability and will consider how innovations in housing policy might overcome challenges associated with housing affordability.
- To deliver a housing strategy for Uttlesford District Council and across the West Braintree Garden Community that directs and supports the delivery of new homes across the three new Garden Communities to deliver mixed and balanced communities. This Strategy and the evidence provided will then guide and direct discussions with land owners and their agents.

The provision of high quality housing design is an important aspect of the local plans and it is expected that urban design advice and Design Quality Panel will address these issues during all the stages of plan making and development management.

Objectives

1. To provide a framework that delivers the Council's ambition of a mixed and balanced community. Including details of who the homes are for, tenures required and the use of innovative housing models, including community led housing schemes and the need to address affordable housing for workers.
2. The framework should include the size, tenure and densities needed, together with forms of innovative building models, including self-build or modular housing.
3. Details should include how the Garden Communities aims of economic growth and sustainability will be met.
4. The Strategy should also take into account the findings of the Letwin Independent Review of Build Out and in particular the role of different types and tenures of homes in accelerating housing delivery.

The scope of services required is as follows:

1. Provide evidence of housing need based on demographics, health status and special needs for all members of society and reviewing the evidence base of the Strategic Housing Market Assessment that is relevant in relation to the proposed size and tenure of the proposed housing accommodation.
2. Provide analysis of how innovative and community led housing models can deliver housing costs of no more than 35% of net income (including welfare recipients) in partnership with local stakeholders, including housing associations. In addition to consider the scope for self build projects.
3. Provide analysis of how welfare reforms and the removal of Housing Revenue Account borrowing cap can enable the Council's ability to build or be involved in the delivery of new affordable homes.
4. Provide an analysis of public and private employment opportunities currently available and expected in the future through the Garden Communities and in the immediate vicinity of the Garden Communities. The Councils will provide a breakdown of these jobs types, expected numbers and delivery profile/timetable. The consultant will analyse expected income levels to identify affordability levels and profile where this information is available .
5. Guidance for a revised allocations policy for social, affordable and community led housing that includes provision for workers in permanent

employment within the local area taking into account a household income threshold.

6. Provide evidence of how affordable housing can support and attract new employees to support the local economy and the provision of key services within the community in line with the analysis of expected employment opportunities.
7. Guide future allocations policy based on the evidence produced in the research of this study.
8. To provide advice about appropriate delivery models based on the tenures each proposed settlement needs to include alternative home ownership products such as community led housing (eg via a Community Land Trust or co-op housing model).
9. Examine how current and expected future technology can enhance the employment provision for home working employees who those who wish to start their own business. This may include Neighbourhood technology hubs where such provision is relevant to the housing offer.
10. Deliver presentations and reports to officers and members of each authority at agreed points. The topics will include; meeting social and housing need in the new communities; housing and employment strategies working together to support the local economy; and the role of diverse housing tenures and types to deliver new communities at pace.

The following are out of the scope of this project:

1. New evidence
2. Supplementary evidence identified will be commissioned separately.
3. Primary research with stakeholders via interview

Outputs:

- ❖ Clear evidence base with non- technical language
- ❖ Presentations to Officers and Members at agreed points
- ❖ Papers for presentations and discussions
- ❖ Draft Housing Strategy wording to supplement existing district wide strategies and for incorporation in appropriate Garden Community Development Plan Documents (including the jointly prepared West of Braintree Garden Community DPD).

- ❖ Presentation of findings to Member Governance Board.
- ❖ Detailed consultation plan, devised and implemented. Consultation to include master developers as well as key registered social landlords and other housing providers and to take account of the consultation timetable of other local plan related work. Feedback presented as part of work with Member Governance Board.

Draft Housing Strategy with Executive Summary

Provide all primary evidence with Uttlesford District Council and Braintree District Council in an accessible format, clearly labelled and catalogued.

Approach to commission and engagement/consultation.

The consultants shall be appointed in partnership with lead housing and planning officers and members from each local authority.

- ❖ The consultant to work collaboratively with the lead officer (Name) in the provision of this work.
- ❖ Bids are invited from specialists with knowledge of housing, planning and finance, as well as community and stakeholder engagement.
- ❖ Evidence of ability to work with officers and stakeholders at all levels is required, with a focus on delivering complex ideas in non-technical language.
- ❖ Bids need to demonstrate the following:
 - ❖ A thorough and excellent knowledge of current legislation and best practice in the delivery of all forms of housing, including community led housing initiatives.
 - ❖ Experience of delivering Housing Plans and policies with stakeholders and partners.
 - ❖ A thorough understanding of the housing market, both local and regional.
 - ❖ Understanding and experience of how innovative housing models can ensure long term sustainability across the length of the Local Plan.
 - ❖ Excellent skills in explaining complex information in an accessible manner, both written and oral.
 - ❖ “A thorough understanding of large and complex residential led growth projects and the various positions/drivers of stakeholder involvement. “
 - ❖ Excellent engagement and negotiation and presentation skills.

- ❖ A clear understanding of the TCPA Garden City principles.
 - ❖ A clear and strong understanding of the development industry.
 - ❖ Experience of facilitating stakeholder engagement with all sections of the community.
4. Reporting and attendance is required with the Garden Community Delivery Member Governance Board and separate update meetings with the lead officers and members of both authorities as required
 5. The contact details of a named point of contact will be required.

The selected consultants are required to provide training to Members and Officers as required.

Submission of proposals

A fee proposal is required from prospective consultants and should incorporate the following:

- ❖ A detailed plan of work is required that sets out a timeline and key milestones
- ❖ Details of staff working on the project, their skills and experience, together with their daily rates, qualifications and an up to date C.V.
- ❖ Details of how the project will be managed in the event the lead contact changes.
- ❖ A fixed fee should be provided for the whole project, with key stages broken down. Travel, subsistence and other costs should be included. Separate, additional repayments will not be made after the bid is accepted.
- ❖ A daily rate of additional work which may be required in relation to this work should be included.
- ❖ Details of how the project will be checked for quality and accuracy should be included.
- ❖ Full details are required of any work which is expected to be contracted out.
- ❖ Potential conflicts of interest should be identified and a declaration that there are no conflicts of interest with third parties or other studies that would compromise the services provided.
- ❖ Contact details (including phone/email) for two referees from similar commissions and provide details as to how these commissions were successfully achieved.
- ❖ Confirmation that the consultant has public indemnity, public liability and employers liability insurance that meets UDC's required standards.
- ❖ Contact details (email and phone number) for the main contact at the consultancy.

Please note that the Council may require proof of financial standing prior to appointment.

Timetable

Tender submission deadline – XXXXXXXXXXXXXXXX
Potential interview dates – XXXXXXXXXXXXXXXXXXXXXXXX

Payment information

Payment will be made to the consultant on successful completion of the Stages set out in the project timeline and agreed at the inception meeting.

Lead Officer for UDC

Lead Officer for contract (Name)

Lead Officer for oversight of the commission (Name and job title)

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Committee: Scrutiny Committee

Date:

Title: Memorandum of Understanding

Thursday, 21
March 2019

Report Author: Richard Auty, Assistant Director - Corporate Services

rauty@uttlesford.gov.uk

Item for Decision:

Yes

Summary

1. This report presents the Memorandum of Understanding between scrutiny and the executive which has been developed following the Centre for Public Scrutiny review of the Council's scrutiny processes and procedures. It also provides a general update on the action plan developed following that review.

Recommendations

2. The Committee approves the Memorandum of Understanding

Financial Implications

3. None

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 5.

Communication/Consultation	Discussions have already been held with Cabinet representative and Scrutiny Chairman
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None

Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. The Scrutiny Committee has previously approved an action plan addressing the key points raised by the Centre for Public Scrutiny in their review of the Council's scrutiny processes and practices.
7. One of the agreed actions was the development of a Memorandum of Understanding between the executive and scrutiny, to help better define roles and responsibilities and ensure the relationship between the two functions is working for the benefit of the community.
8. Cllr Dean as Chairman of the Scrutiny Committee and Cllr Howell as the nominated Cabinet representative have met and discussed the Memorandum along with other points raised through the review. The draft Memorandum is attached as Appendix 1 and notes of that meeting are attached as Appendix 2. A general update on the action plan is attached as Appendix 3.
9. Members are asked to approve the Memorandum of Understanding. If approval is given, it will also require executive approval. There are no further scheduled Cabinet meetings in this Council year to which it can be taken; however Cabinet members have expressed a wish to see the document adopted in the Council year, so approval could instead be sought through a Leader's Executive Decision.

Risk Analysis

10.

Risk	Likelihood	Impact	Mitigating actions
Members do not approve the Memorandum of Understanding	1 – the MoU has been developed in conjunction with both executive and scrutiny members	2 – A lack of clarity over the relationship may lead to a less effective scrutiny function	The Memorandum of Understanding has been developed with input from both the executive and scrutiny and takes into account good practice elsewhere

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.

SCRUTINY and CABINET

Roles and Responsibilities

Memorandum of Understanding

1. Principles of Effective Scrutiny

1.1. The Centre for Public Scrutiny (CfPS) has identified the following four principles which underpin effective scrutiny:

- Provide a constructive ‘critical friend’ challenge to the Executive (“Cabinet”) as well as outside agencies
- Reflect the voice and concerns of the public and its communities
- Take the lead and own the scrutiny process on behalf of the public
- Make an impact on the delivery of public services.

In addition it is important that scrutiny:

- Improves decision-making in the Council

2. Objectives of the Memorandum of Understanding

2.1. The objectives of this MoU are:

- to establish a positive framework within which the Scrutiny Committee and the Cabinet can work together in a constructive, co-ordinated and effective way;
- to maximise the personal effectiveness of Scrutiny and Cabinet Members by enabling them to fully understand their powers, roles and responsibilities in relation to the Scrutiny function;
- to promote and maintain an ethos of mutual respect, trust and courtesy in the inter relationships between Scrutiny and Cabinet Members and a climate of openness that leads to constructive, yet challenging, debate;
- to create a culture of holding the Cabinet to account on behalf of the electorate, by monitoring the effectiveness of the Council’s policies and through the regular review of its performance in relation to service delivery, with a view to ensuring service improvements.

3. Role of the Scrutiny Committee

3.1. Detailed information on the Scrutiny process can be found in the Council’s Constitution. In summary, within its terms of reference, the Scrutiny Committee may:

- review or scrutinise decisions made or other actions taken in connection with the discharge of any of the Council’s functions;
- make reports and / or recommendations to the Full Council and / or the Cabinet in connection with the discharge of any functions;
- assist the Council and the Cabinet in the development of the policy framework and budget;
- consider any matter affecting the area or its inhabitants; and
- exercise the right to “Call-In”, for re-consideration, decisions made but not yet implemented by the Cabinet.

3.2. The Scrutiny Committee is accountable to the Council as a whole and not to the Cabinet. The Cabinet will respect its independence.

4. Holding the Cabinet to Account

- 4.1. One of the fundamental principles of Scrutiny is the ability to hold the Executive (i.e. the “Cabinet”) to account. The principle of the “Cabinet” style of local government is that, by having a small Executive responsible for decision-making, the decision making process will be quicker and more efficient. However, local people need to be assured that this small group of Members are making decisions effectively and acting in the best interests of the local community they serve.
- 4.2. Holding the Cabinet to account can involve scrutinising executive decisions at a number of different stages of the decision-making process:
- before decisions are made;
 - before they are implemented and
 - after they are implemented.
- 4.3. Holding the Cabinet to account is not about confrontation – it is about Scrutiny Members providing a "critical friend" challenge to the Cabinet and to individual Cabinet Portfolio Holders. Scrutiny is not about challenging individuals or personalities, but is about challenging decisions and securing improvement where possible. Neither should holding the Cabinet to account be about party political loyalties.
- 4.4. There are a number of ways in which the Scrutiny Committee can hold the Cabinet to account and assist in its decision-making. These include:
- By using the call-in procedure to instigate a review of a decision made by the Cabinet or by Cabinet members;
 - By requesting the inclusion of an item for discussion on a Scrutiny Committee agenda;
 - By identifying items from the Forward Plan or Corporate Plan for pre-scrutiny;
 - By identifying an area of Cabinet responsibility for a detailed study as part of the Scrutiny Committee’s work programme;
 - By considering issues at the invitation of the Cabinet.

5. Relationship Between Cabinet and Scrutiny

- 5.1. Cabinet and Scrutiny have very different functions and responsibilities. However, the aim of both should be to secure the best outcomes for the people who live and work in Uttlesford.
- 5.2. The following principles set out how the working relationship between Cabinet and Scrutiny should operate:
 - Cabinet and Scrutiny acknowledge and respect their different functions and responsibilities will work in a complementary manner towards securing the best outcomes for the people who live and work in Uttlesford.
 - Cabinet will respect Scrutiny's role in holding the Cabinet to account and will co-operate to enable the Scrutiny Committee to carry out this role.
 - Scrutiny will respect the role of the Cabinet as the Council's Executive and Scrutiny will approach its role in a proportionate, objective and non-party political manner.
 - Cabinet and Scrutiny will look to work within a spirit of mutual respect and constructive challenge, and with openness and transparency.
- 5.3. Cabinet members will attend Scrutiny meetings as needed to present information, provide context, answer questions and contribute to discussion.
- 5.4. The Scrutiny Chairman will attend Cabinet meetings to report on the work of the Scrutiny Committee and to communicate its recommendations, findings and views.
- 5.5. Representatives of the Cabinet and Scrutiny Committee will meet regularly to ensure that each is aware of the work and priorities of the other, to discuss and develop the Scrutiny work programme and to facilitate its engagement with the Cabinet as a "critical friend". Cabinet and Scrutiny both recognise the importance of open and honest communication in enabling each to fulfil its role effectively.

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Scrutiny Review Meeting - ACTIONS
11 February 2019

Present: Richard Auty (RA), Ben Ferguson (BF), Simon Pugh (SP) and Adrian Webb (AW).

Councillors Alan Dean (AD) and Simon Howell (SH).

		Action	Officer
1	<p>General Comment on CfPS Action plan</p> <ul style="list-style-type: none"> SH said the relationship between the Executive and Scrutiny was better than it had been in the past, although there was still work to be done. There were still issues with partisanship and there was a need to clarify what a “critical friend” actually meant. AD said partisanship worked both ways. The fine line between legitimate challenge and party politics needed to be better defined. He felt this would be assisted by the CfPS recommendation to ‘strengthen the advisor/guardian role’. 	Take account of the CfPS recommendation in developing and implementing the Action Plan	All
2	<p>Scrutiny Work Programme</p> <ul style="list-style-type: none"> AD wanted greater input from Cabinet members when establishing a work programme. SH said there was an issue with scrutiny ‘surprising’ executive members with an ad hoc approach to the programme. He said Cabinet would be happy to engage with a scrutiny committee focused on adding value to council policy/services. SP said there were key areas in which Scrutiny could have a positive impact: the Budget and the Corporate Plan. A broad and unfocused work programme would create real issues in terms of staff resources. AD said there needed to be a mechanism by which items on the work programme were prioritised. He agreed that a focused programme could add value to decision making/services. A work programming meeting between Cabinet and Scrutiny was agreed. 	<p>Research work programming tool, such as CfPS SMART assessment.</p> <p>Setup a meeting between Cabinet and Scrutiny regarding the work programme.</p>	BF
3	<p>Scrutiny reporting to Full Council</p> <ul style="list-style-type: none"> SH welcomed Scrutiny reporting to Council although a formal process would need to be in place to ensure it 		

	<p>was the views of the committee that were reported.</p> <ul style="list-style-type: none"> • SP said it was important that this was not merely an update on the previous scrutiny meeting, but rather a formal report including the outcome of reviews/scoping projects. • It was agreed that a formal written report would go to Council meetings but it would need to be endorsed by the Scrutiny committee. 	<p>Ensure a timetable and resources in place to support the Chairman of Scrutiny in producing a report.</p>	
4	<p>Memorandum of Understanding</p> <ul style="list-style-type: none"> • Discussed draft MOU. Suggested amendment to 5.3 as follows: <p>1.1. Cabinet members will attend Scrutiny meetings as needed to present information, to provide context and to contribute to discussion.</p> <ul style="list-style-type: none"> • It was agreed to formalise the MOU before the new municipal year. It could be taken to the Scrutiny meeting on 21 March for the committee's approval, and the Leader could delegate powers to SH to make an executive decision to approve the MOU. • AD and SH said there was a need to establish an effective governance structure regarding Council investments. • AD said there was a need to include reference to scrutiny's role in improving decision making 	<p>Make suggested change to MOU.</p> <p>SH agreed to discuss the MOU and the delegation of powers with JET.</p> <p>Amend MOU.</p>	<p>BF</p> <p>BF</p>

CfPS Recommendation	CfPS Comment	Officer Comment/Action
1. Create a common understanding and purpose for scrutiny	Getting a shared view of scrutiny's role and purpose is vital. The lack of understanding was cited as a key issue getting in the way of good scrutiny in a recent CfPS/ APSE Report. Undertaking this as a joint exercise would provide a route for Cabinet to demonstrate its commitment to being challenged. It could also form part of the work programming process.	A Memorandum of Understanding between the executive and scrutiny has been drafted to establish roles, responsibilities and expectations. This is an approach adopted by some other local authorities. The document will help ensure a thorough understanding for all members and officers and better define the purpose of the scrutiny function.
2. Leader and Cabinet members all directly accountable and visible	Scrutiny's job is to hold the executive to account, this means Cabinet members should be front and centre. Reports should therefore be in their name and they attend meetings as required. Whilst the current committee structure does not lend itself well to this (Cabinet members could be at all of them, all of the time) this is not an acceptable excuse. Officers can be present but for technical support only. Cabinet should view scrutiny as a critical friend who offer additional insight and sometimes challenge that may strengthen decisions and improve performance.	This has been put in place and reports relating to executive functions are now in the Cabinet Member's name, with the expectation that the Cabinet Member, or on occasion a substitute, will attend the committee meeting to present the report and answer questions. The role of officers should now be limited to technical support.
3. Relationship with cabinet -Structured meetings to discuss scrutiny	No further comment is provided in the CfPS report in respect of this recommendation.	It is important that the Cabinet and the Scrutiny Committee have an effective relationship. The Memorandum of Understanding establishes this relationship. With regard to current arrangements, practice is that the Chairman of Scrutiny reports regularly on the committee's activities to Cabinet. There is merit in the Chairman also reporting to Full Council when appropriate. This would help with

		<p>visibility of the committee's work and allow all councillors the opportunity to comment.</p> <p>It is also proposed that an annual work planning meeting between Scrutiny and Cabinet representatives should take place prior to the proposed work plan going to Scrutiny Committee along with a half year review meeting to discuss progress/issues.</p> <p>The draft committee timetable for 2019/20 has increased the number of Scrutiny Committee meetings, aligning them with Cabinet meetings to allow for more opportunity to pre-scrutinise matters going for Cabinet decision.</p>
4. Corporate team to have greater oversight to ensure scrutiny plays its full role	To ensure that scrutiny is baked-in to all council decisions relevant directors could strengthen the advisor/guardian role, to ensure that scrutiny has the tools, access and support it needs to be effective.	<p>A restructure of Democratic Services is giving greater officer support to the Scrutiny function, helping ensure that Scrutiny has a central role in the council.</p> <p>The Corporate Management Team will ensure it remains up-to-date on the Scrutiny work programme at its meetings.</p>
5. Scrutiny planning forum to set strategic objectives for the plan	<p>Refresh the work planning programme process that allows scrutiny councillors to focus in the most important issues for the council and residents. A high-quality work programme is critical to success. It may help in this process if a forum was established between scrutiny and cabinet to decide on priority areas for scrutiny and to also shape a task and finish schedule.</p> <p>A good work programme is about impact and outcomes. Work programming is about highlighting and proceeding with those matters where scrutiny can make most difference to the lives of local people. This relies on two things – firstly, having the information at hand to be able to make informed</p>	<p>This recommendation is related to recommendation 3 above.</p> <p>The committee's approach to work programming needs further review and consideration to ensure scrutiny objectives are clearly defined in order to ensure effective outcomes. The Memorandum of Understanding sets out an expectation for regular dialogue between the executive and scrutiny.</p> <p>Previously, the committee through its chairman has asked all councillors for their views on key matters they would like the committee to consider. This proved to be an effective way to collate ideas and there is merit in considering this approach again.</p>

	choices. Secondly, it is important that scrutiny understands what “impact” looks like, so it can plan for it.	It is important to set a realistic annual work programme, focusing on a few key topics, in order to ensure manageable meeting agendas and sufficient time to explore topics in enough depth to make an impact.
6. Consideration of public input and access	Scrutiny could consider co-option both of expert professionals (who may also be local people) and local people who while not professionals, may still have expertise in specific issues. This could be done along with thinking more generally about scrutiny’s ability to draw in and involve local people more.	<p>Officers’ view is that there are several important considerations relating to this recommendation.</p> <p>Firstly, such people would have no democratic mandate but could be in a position to directly influence future council policy.</p> <p>Secondly, consideration would need to be given as to how they could add value.</p> <p>There may be an option to co-opt an Independent Person on to the Scrutiny Committee in the future should the council consider it advantageous to do so. There may be occasion when it is appropriate to co-opt onto a task and finish group, e.g. a member of the Tenant Forum if a Housing-related review was being undertaken.</p> <p>It is officers’ view that the council needs to ensure its scrutiny function is working in a consistently effective manner before considering this move and should be a topic that is returned to in the future.</p>
7. Scrutiny built-in as integral part of decision-making and policy forming process	No further comment is provided in the CfPS report in respect of this recommendation.	The Memorandum of Understanding sets out the responsibility of the executive and scrutiny to work together to develop the work programme. The proposed increase in the number of Scrutiny Committee meetings will assist in pre-scrutiny of Cabinet items.
8. Annual report and performance review on scrutiny effectiveness and	No further comment is provided in the CfPS report in respect of this recommendation.	An annual report already exists and is considered by the committee before being presented at Full Council. The format could be reviewed so it also includes consideration of

impact		<p>effectiveness and impact.</p> <p>Officers have investigated self-assessment models. The Governance, Audit and Performance Committee already self-assesses annually through a CIPFA tool. The Centre for Public Scrutiny does have a self-assessment document but it is not as easy to use as the CIPFA audit committee one.</p> <p>Self-assessment documents have been drafted and this will be progressed in new council year.</p>
9. Further skills development – members, chair (key skills/advanced chairing skills)	No further comment is provided in the CfPS report in respect of this recommendation.	This will be addressed as part of the development of the member training programme through Democratic Services.
10. Structure of meetings – set objectives, create lines of enquiry etc	No further comment is provided in the CfPS report in respect of this recommendation.	Clarification of roles and responsibilities through the Memorandum of Understanding will assist in meeting this recommendation. The committee should consider to what extent “off-line” activity can enhance discussion at formal meetings – for example the work this year on affordable housing.
11. Briefings for scrutiny – Ensure that scrutiny members have necessary information and facts to prevent scrutiny meetings becoming information exchanges	Scrutiny members need a clearer sense of what is required of them as committee members and the work involved which allows good scrutiny to happen. Practically the chair and vice-chair must aim to build a team approach to evidence gathering and questioning. Support from officers will help. There needs to be more detailed pre-briefing of the members on major and important items.	<p>The role of scrutiny members can be addressed as part of the member development programme.</p> <p>In terms of pre-briefing, officers can provide technical briefings in advance of committee meetings where the committee considers it would be useful.</p> <p>There are regular briefings for all members on key topics such as the Local Plan and the council’s finances and Scrutiny Committee members should prioritise attendance at these to ensure they are abreast of the key issues and challenges facing the council.</p>

Committee: Scrutiny Committee
Title: Investment Steering Group
Report Author: Adrian Webb, Director - Finance and Corporate Services
awebb@uttlesford.gov.uk
Tel: 01799 510421

Date:
Thursday, 21
March 2019

Summary

1. At its meeting on 21 February 2019 Council requested a paper be prepared on the establishment of a group to support the Council as it implements the Investment Strategy.
2. Members also requested that Scrutiny considered the paper ahead of it going to Cabinet and then to Council on 9 April.

Recommendations

3. The Committee provides feedback to the Cabinet on the principles contained within this report.

Financial Implications

4. There are no direct financial implications associated with this report.

Background Papers

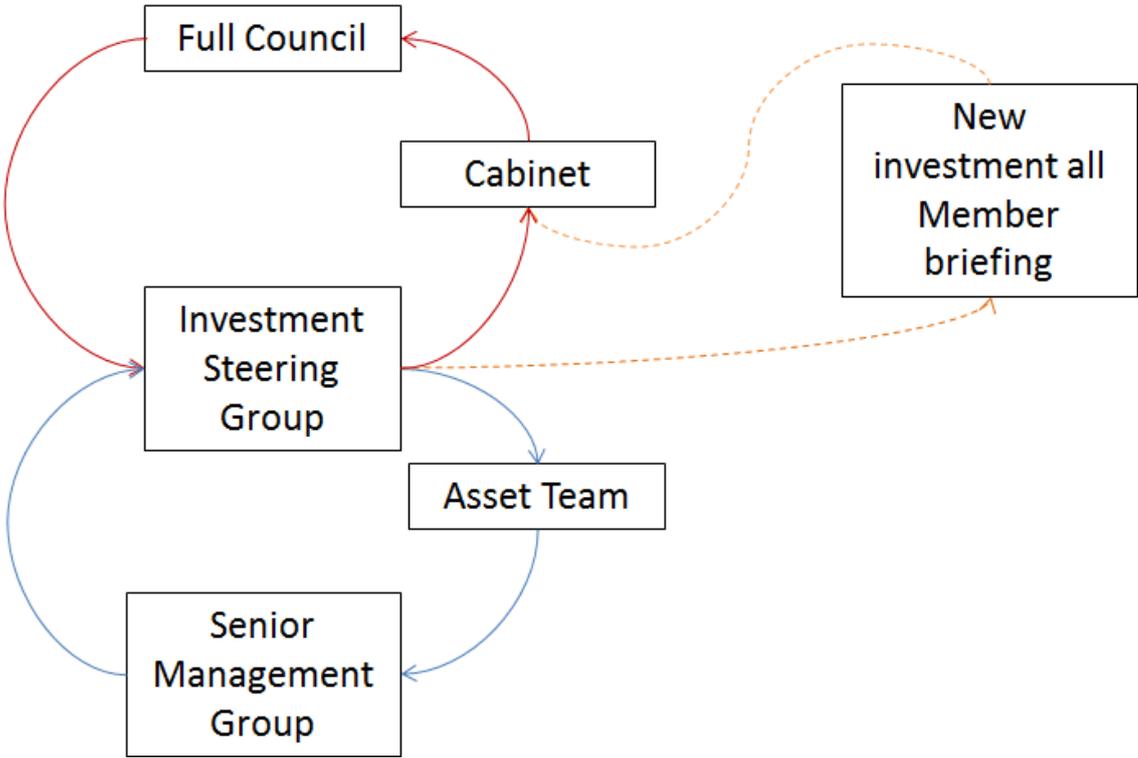
5. None.

Impact

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

- 6. In February 2019 the Council, as part of the budget papers, adopted the Investment Strategy. In doing so the Council agreed in principle to invest up to £100million to help cover the forecast shortfall in government funding.
- 7. At the Council meeting it was agreed unanimously that Members and Officers needed additional support from external experts in the setup and development of an investment portfolio. It was agreed to bring a report to the next Council meeting, setting out the process for establishing such support.
- 8. This report sets out the current Administration’s proposal for an Investment Steering Group (ISG). The report does not detail the precise makeup of the group as it is felt this would be the responsibility of the new Administration following the May elections. What it does do is set out the structure for decision making and the principles behind such a structure.
- 9. The ISG would likely be a Working Group of Cabinet.



The roles of the constituent parts

Annual Plan (red line)

- 10. As part of the annual budget setting process, Cabinet develops the Investment Strategy in consultation with the ISG. Cabinet recommends to Council the adoption of the Investment Strategy.

11. Council adopts the Investment Strategy and formally passes it to the ISG.
12. The ISG develops a work plan to implement the Investment Strategy.
13. The Cabinet will receive from the ISG quarterly updates, including KPIs, on the performance of the portfolio.

Internal Process (blue line)

14. The ISG advises the Asset Team (officers) of changes required to the portfolio and tasks them to identify proposals for consideration by the ISG. The ISG also reviews the monthly/quarterly performance of the portfolio.
15. The Asset Team, working with professional advisers, identifies investments that meet the specifications set out by the ISG and prepares investment business cases for each suitable opportunity. The Asset Team also prepares the monthly/quarterly performance data for presentation to the ISG.
16. The Senior Management Group, consisting of the Chief Executive, Directors and the Monitoring and Section 151 Officers, receive the business cases and confirm the legal and financial position and the appropriateness of the proposal. The Senior Management Group also reviews the portfolio performance data.

New Investments (red and dashed orange lines)

17. The ISG reviews the business case and recommends to Cabinet for approval. The ISG Chairman (independent person), along with officers, undertakes an all-Member briefing session to set out the investment and the reasons for its recommendation.
18. Cabinet reviews the investment and if satisfied recommends to Council that funding is made available.
19. At an Extraordinary Meeting of Council a decision is taken on whether or not to allocate the funding. It is not the role of Council to revisit the proposed investment; due diligence will have already been undertaken by the ISG and then by Cabinet.

ISG – Terms of Reference

20. The ISG operates in accordance with the adopted Investment Strategy. Full Council will need to include Terms of Reference for the ISG. This will set out areas such as:
 - Types of investments willing to be considered
 - Commercial property
 - Residential property
 - Bonds
 - Shares

- Location
 - In area
 - In region
 - UK-wide
- Risk Appetite
 - Will have a direct impact on return
- Return
 - E.g. £100m to return net £3.5m per annum
- Ethical restrictions (yes/no to include)
 - Tobacco related
 - Animal testing
 - Etc.
- KPIs for reporting to Cabinet

21. The ISG will then develop the Terms of Reference into operational guidelines for the Asset Team. For example in commercial acquisitions the criteria could include

- Location
- Covenant
- Value
- Lease length
- Single or multi tenancies
- Tenure (freehold or leasehold)
- Repairing obligations
- Project internal rate of return

22. The ISG will also advise the Cabinet of the make-up of the portfolio i.e. percentage of commercial compared to residential compared to bonds and shares.

The role of Scrutiny

23. Scrutiny has been asked to look at this proposal and provide feedback to Cabinet. To help the Committee it is likely that the following recommendations will be made to Cabinet and Council

a. Cabinet

1. Agrees in principle the establishment of an Investment Steering Group as a Working Group of Cabinet, subject to Full Council endorsement.

2. Requests officers prepare proposals for the composition and recruitment process for the Investment Steering Group for consideration by the next Administration.

b. Council - Endorses the establishment of an Investment Steering Group.

24. It is possible that, as there is no Cabinet meeting proposed ahead of Council on 9 April, the Cabinet decision will be taken as an Executive Decision, either by the Leader or the Finance Portfolio Holder.

25. Ongoing, Scrutiny has a role in ensuring the effectiveness of the proposed structure. Further discussion will need to take place, post-election, to establish the most appropriate way for Scrutiny to contribute to the success of this initiative.

26. Annual reporting of the performance of the portfolio would likely be part of the annual accounts meeting of the Governance, Audit and Performance Committee.

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Committee: Scrutiny Committee
Title: Major Planning Applications Review Update
Author: Richard Auty, Assistant Director Corporate Services
rauty@uttlesford.gov.uk

Date: 21 March 2019
Item for decision: No

Summary

1. This report provides an update on preliminary work towards the review of the Council's processes with regards to major planning applications.

Recommendations

2. None. This report is for information only.

Financial Implications

3. The committee has resolved to commission an independent study. This will come at an as yet unknown financial cost. Normal Council procurement processes will be followed in commissioning this work.

Background Papers

4. None

Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	The Stansted Airport application is currently live and with the Secretary of State
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. At the extraordinary Scrutiny Committee meeting of 15 January 2019, members resolved to commission an independent review of the Council's processes for major planning applications.

7. The committee agreed a revised recommendation by the Chairman which read:

“The Scrutiny Committee thanks members of the public for making representations about large planning applications at both its meeting and by written correspondence.

The committee resolves to commission an independent study on large planning application processes. The committee will take account of the representations already made and any other representations it receives in formulating a Scoping Report for the independent study.

The purpose of the independent study will be to identify improvements to the Council's processes for handling large planning applications. The process cases to be studied will include the application determined in November 2018 for increased capacity at Stansted Airport as well as other large planning applications that will enhance the value of the study.

The committee intends to report back expeditiously with a proposed Scoping Report and preliminary advice on how the study can be conducted effectively and independently. The committee wishes to achieve delivery of at least a draft report and draft recommendations by early summer 2019. The Scoping Report should contain a preliminary timetable showing provisional key milestones.

Additional meetings of the Scrutiny Committee will be called if they are needed to ensure that the study work begins on time to meet the timetable.

A reference group comprising the committee chairman and vice chairman, plus Councillors Lemon and Light will be established to work in the background with officers to progress this initiative.”

8. Following the meeting, after consulting with the Chairman, officers requested the Centre for Public Scrutiny (CfPS) provide some initial assistance in progressing this piece of work.

9. Specifically, the CfPS was asked to undertake a critical friend approach in its guidance as there was a difference of opinion as to the how the review should proceed.

10. The CfPS is a national centre of expertise on governance and scrutiny and works with public, private and voluntary sector organisations to champion governance and scrutiny in public.

11. The piece of work the CfPS undertook involved individual phone interviews with each of the four members of the reference group, followed by a face-to-face meeting with all four members, which was also attended by officers.
12. At that meeting, Ian Parry from the CfPS gave his advice to the members, which accorded with that already given to members by the Council's Monitoring Officer verbally at an informal meeting and in writing at the extraordinary committee meeting.
13. To summarise the CfPS advice:
 - The review should not be conducted while the Stansted Airport planning application is still live.
 - It is not appropriate for a Council's Scrutiny Committee to examine any planning decision, nor the conduct at regulatory committee meetings. Mr Parry stressed that there were other mechanisms in place for such matters. It was his view that the Council's Constitution did not allow for this.
 - There was real benefit in reviewing more generally the Council's processes for dealing with major planning applications and Mr Parry cited examples where this had been done at other authorities.
14. Mr Parry's advice is set out in more detail in the minutes of the reference group meeting, attached as Appendix 1.
15. Following this meeting, officers have contacted the Planning Advisory Service (PAS), which provides consultancy and peer support to local authorities. PAS is delivered through the Local Government Association and directly funded by the Ministry of Housing, Communities and Local Government. The Council has used PAS previously to conduct a review of its Local Plan processes.
16. PAS has given an initial indication that it would be in a position to conduct a review of the Council's processes for dealing with major planning applications. An initial phone call has been arranged and officers will update the Committee verbally at its meeting. As well explaining the background to this request, officers will also explore the possibility of PAS being involved in defining the scope of the review.

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Scrutiny Committee – Handling Major Planning Applications Reference Group

10am Council Chamber, 26 February 2019

Present: Cllrs Dean (Chair), G Barker, M Lemon & B Light

Officers: R Auty (Assistant Director – Corporate Services), A Bochel (Democratic Services Officer) and A Webb (Director – Finance and Corporate Services)

Also Present: I Parry (Centre for Public Scrutiny)

The Chairman welcomed Ian Parry. He said the aim of the meeting was to continue the discussion from the last time that the group met.

Ian Parry said he had been asked to offer advice and support to the Scrutiny Committee. Concern had initially arisen from the process leading up to the decision on the Stansted Airport planning application and the Scrutiny Committee had wanted to look into this further. The Centre for Public Scrutiny believed in good-quality public scrutiny. One of the key questions surrounding this issue was the extent of this scrutiny.

Difficulties could arise for the Council for two reasons. Legal guidance was that a Council should not investigate processes regarding planning applications when a relevant application was still live. Both the Council's Monitoring Officer and the Centre of Public Scrutiny supported this guidance, and the Council's constitution made no provision for it either. Additionally, it was not appropriate practice to examine decisions themselves or the committee meetings at which the decisions were made. Regulatory functions of district councils such as planning had external means by which appeals against decisions could be made.

Instead it was important to focus on scrutinising the process leading up to decisions being taken. A number of authorities, such as Hertsmere, had done good work on examining this with respect of planning, including the impact on the economy, upon communities, the efficiency of the process and its value for money.

In response to a Member question, Ian Parry said one of the dangers of scrutinising a live application was the potential for giving an impression that the Committee was attempting to interfere with a decision that had already been taken by the Council. Additionally, it might mean the Committee was accused of taking this action for the purposes of electioneering. While members of the reference group would not want to scrutinise the process for this reason, it was sensible for the Council not to give that impression. There was no particular time pressure to push the Committee to start to scrutinise the process at the present time. It would be safer to wait until after the final decision about the Stansted Airport application had been taken.

In response to a Member question, Ian Parry said scrutiny could provide a good way of improving aspects of the planning process, and real examples would be an important element of this. While the Committee could not influence the decision taken by the Secretary of State, examining any process leading up to the decision in the case of Stansted Airport was a potential minefield while the application was still live. It was sensible to wait until after a final decision had been taken.

Members emphasised that it must not look like the Committee was kicking the issue into the long grass. An update report would be taken to the Scrutiny Committee which would state that the Committee should include the issue in its work programme and would begin work on the matter when the Stansted Airport application had been finalised. The Chairman would then be able to include progress about the matter in his report to Council.

Ian Parry said Members could inform residents of their wards that there were plans for a review of the major applications planning processes. However, it had to be emphasised that it was not appropriate for the Committee to do so while the Stansted Airport application was still live, and there were other means of due process to appeal the decision. Residents need to understand that the Committee could not affect the outcome of the decision. The case of Stansted Airport could be used as a case study in the piece of work examining the process running up to taking decisions on major planning applications, but only when the final decision had been taken.

Members emphasised that the handling of major planning applications in Uttlesford was an important issue

Committee: Scrutiny Committee

Date:

Title: Annual Report

21 March 2019

Author: Richard Auty, Assistant Director Corporate Services
rauty@uttlesford.gov.uk

Item for decision:
Yes

Summary

1. There is a requirement under the Council's Constitution for the Chairman of the Committee to report annually to Full Council. This occurs at the April Council meeting.
2. The information below will form the report the Chairman will give to the Council meeting and summarises the key work of the Committee in the 2018/19 year.

Recommendations

3. The Committee approves the content of the Annual Report.

Financial Implications

4. There are no direct financial implications associated with this report.

Background Papers

5. None

Impact

- 6.

Communication/Consultation	The report will provide a summary of the committee's work for all members
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

7. In 2018/19 the Scrutiny Committee has undertaken work looking at a range of policies and services along with its role in scrutinising key financial matters through the draft budget and Local Council Tax Support Scheme (LCTS).

LCTS

8. The Committee considered the draft scheme proposals for 2019/20 at its meeting in June. The Committee recommended to Cabinet that the scheme be set on the same basis as in 2018/19 and, therefore, the contribution rate be frozen at 12.5% for the fifth consecutive year. In addition the Council should continue to protect vulnerable and disabled residents and carers on a low income.
9. The 2019/20 scheme also proposed an increase in the empty homes premium from 50% to 100% after two years of non-occupancy. When the final scheme was presented to the Committee in November, the contribution rate freeze was recommended to Cabinet unanimously, whereas the empty homes premium increase was recommended by a majority.
10. The Cabinet considered the Committee's recommendations and proposed to Council a final scheme which followed the Committee's view.

Budget Scrutiny

11. At its meeting in January the Committee reviewed all budget reports prior to their submission to Cabinet and Full Council. Before this, the Committee had discussed in November a report setting out the budget process and consultation responses. The Committee commended the high response rate (almost 2,500 responses).
12. Discussion at the January budget meeting focused mainly on the Council's approach to investments. The draft Investment Strategy being among the budget reports. Members expressed differing views as to how best governance could be structured with regard to future investments and this area of work is one that the Scrutiny Committee continues to take a keen interest in.
13. Outline proposals for investment governance were considered by the Scrutiny Committee in March 2019.

Affordable Housing

14. The issue of affordable housing has been discussed regularly at Scrutiny Committee meetings in 2018/19. A scoping report taken to the May 2018 meeting resulted in a discussion group being established including members of the committee and the Cabinet Member for Housing. During the year, this group has met with relevant officers to develop ideas with regard to affordable housing provision in the context of the Local Plan. Through this work,

members were able to contribute towards the development of the Council's future approach to matters of policy and housing allocation.

15. A report at the September 2018 meeting set out the group's interim findings on work to be done on the Council's affordable housing policy, including a series of ideas which were noted as the basis for progress. These were:

- changes to the affordable housing allocations policy to allow workers on permanent contracts within the district to be eligible, subject to household income levels;
- adoption of the term 'truly affordable homes' with the aim of relating housing costs to household income;
- consideration of eligibility to include workers within the immediate vicinity of proposed Garden Communities that adjoin the district boundary;
- consideration of allowing under-occupation of affordable housing for families with opposite sex children below the age of 10;
- investigation and delivery of alternative intermediate home ownership products such as Community Land Trust homes not delivered by Housing Association Partners; and
- adoption of strategies and policies that are adaptable over time.

16. These ideas have been incorporated into a Consultant's Brief for work on the future Uttlesford Housing Strategy and Allocations Policy, which the Committee reviewed at its March 2019 meeting.

Recycling Matters and Waste Education

17. This year the Committee received three reports on waste and recycling costs and the market situation and on waste education matters.

18. Scrutiny members discussed the impact of Operation Sword, a Chinese environmental initiative, on the value of recyclable materials and therefore its impact on the Council's budget. This led to discussion on the work that needed to be done in the district to improve the quantity and, crucially, the quality of recycling.

19. This discussion resulted in a further report to the Committee, outlining a waste education and awareness plan to be delivered in 2018/19 and beyond. The overall aim of the plan is to increase participation in the Council's recycling services and to help reduce contamination levels.

20. The Scrutiny Committee considers this an important area of work for the Council and continues to monitor implementation of the plan.

21. The key aims of the plan are to:

- Reduce the level of contamination in the recycling service

- Increase participation in the food waste collection service
- Promote and encourage waste minimisation
- Empower schools and the wider community with increased knowledge regarding recycling and waste minimisation
- To help schools to reduce the amount of residual waste they produce
- Improve capture rates of higher values materials

22. The Committee suggested various methods of engaging with the public in order to help achieve the aims of the plan:

- Engaging with the retail sector to encourage more sustainable commercial waste practices and the reduction of littering, e.g. providing fewer disposable cups or using recyclable plastic packaging. Businesses who had signed up to the Saffron Walden BID were cited as potential partners.
- Clarifying the Household Waste list to minimise the potential of fly tipping.
- To canvass the opinion of the Youth Council with regards to educational schemes directed at children and schools.
- To include information relating to recycling on the Housing trailer that visited developments across the district.
- To include information relating to recycling in the Tenants' Newsletter.
- To increase the presence of littering and recycling campaigns such as the 'Campaign for a Cleaner Essex'.

Airport Parking

23. During the course of the year, members of the Scrutiny Committee identified on-going issues with passenger car parking associated with Stansted Airport as a matter of concern and requested a report on the measures the Council and others have at their disposal to deal with off-airport parking. The Committee also received information on case studies at Luton and Manchester airports.

24. After discussing the issues, the Chairman requested a further report on progress be brought back in the new Council year. This has been added to the draft work programme for the new Committee.

Major Planning Applications

25. Two members of the Committee requested that a review be undertaken into the Council's processes with regard to major planning applications. This request was made following the decision on the Stansted Airport application, the most recent major application the Council has handled.

26. A reference group was established comprising four members of the Committee to develop this work. A scoping document, along with advice from the Monitoring Officer, was presented at a January 2019 meeting. This followed an informal meeting between the members and officers. The scoping document, prepared by officers, recommended an independent review of processes. However, the scoping document was not agreed, although the Committee did resolve to establish such a review.
27. Subsequently, officers engaged the Centre for Public Scrutiny to provide advice to the reference group. This advice, which reiterated that given by the Monitoring Officer, was reported back to the Committee at its March 2019 meeting. Officers have also been in discussion with the Planning Advisory Service about whether it would be able to conduct the review and also assist in the initial scoping work.

Call-in

28. Two related call-ins were made in 2018/19. The first was about the decision taken by the Leader to delegate authority to a single Cabinet Member to decide whether or not to remove a payback clause on a £500,000 grant towards the provision of a running track at Carver Barracks in Wimbish. The second was about the decision taken by the Cabinet Member to remove the payback clause.
29. Both call-ins were heard at a meeting in March 2019.

Centre for Public Scrutiny Review, Outstanding Work and Recommendations for the next Scrutiny Committee

30. Towards the end of 2017/18, the Centre for Public Scrutiny was commissioned to conduct a review of Uttlesford District Council's Scrutiny processes and practices. Face-to-face interviews were held with councillors and officers over two days in February 2018, with other interviews carried out over the phone. Those interviewed included the Chairman of the Committee and Committee Members, Cabinet Members, officers working directly in the Scrutiny function, senior officers including the Chief Executive and officers who had taken reports to the Committee. The CfPS representative conducting the review also attended the February Scrutiny Committee meeting.
31. The results of this review were reported in this Council year both to the Scrutiny Committee and Cabinet, where the recommendations were accepted. An action plan was subsequently developed, which has been reported to Scrutiny.
32. Recently, the Chairman and Cllr Howell, as nominated Cabinet representative, have met to discuss the relationship between the Executive and Scrutiny and, more specifically, a Memorandum of Understanding (MoU) which seeks to formalise this relationship. The MoU was presented for approval at the March 2019 Scrutiny Committee meeting before going on for formal Cabinet approval.

33. Other matters in the action plan have either already been implemented or are in progress and will need to be seen through to their conclusion by the new Scrutiny Committee.

34. As this is the final annual report of this Scrutiny Committee it is appropriate to look back over the last four years and review what has worked well and what has worked less well.

35. In general, Scrutiny has worked best when:

- Members have approached topics with an open mind and in a collegiate spirit
- Consideration has been given to the best way to approach a subject (for example setting up a task and finish group in order to consider matters in more detail)
- It has focused on a small number of items per meeting
- Call-in has been used sparingly, and in consultation with the relevant Cabinet member, making it more effective as a role of Scrutiny

36. Scrutiny has been less effective when:

- Members have requested too many items to be considered, resulting in the work programme being too busy to allow for sufficient time to consider each item
- Too much time has been spent in committee meetings gathering information
- Insufficient thought has been given to the outcome sought from a particular review

37. The findings of the Centre for Public Scrutiny review give an independent analysis of where scrutiny has functioned effectively and where shortcomings are found. The outgoing Scrutiny Committee urges the new Committee to take on board the advice.

38. The CfPS report highlights several strengths:

- Scrutiny is generally well-organised and is welcomed in the Council
- Relationships between Scrutiny members and officers are good and there is a general willingness to support Scrutiny
- Scrutiny and executive members in general have a good relationship and Scrutiny aims to be objective. It is not seen as threatening or negative
- Members appreciate the role of Scrutiny and want it to become better

- In the main Cabinet decisions are transparent and accessible for call-in for Scrutiny
- Scrutiny members take their role seriously and are willing to develop and improve

39. The report also summarises key areas for improvement:

- Overview and Scrutiny is underachieving. It lacks purpose and authority
- It is widely valued, but not consistently understood and there are wide differences of opinion about its purpose, potential and function
- It does not provide sufficient impact and value in shaping and improving decision-making and performance in the council
- Scrutiny is too focused on monitoring and therefore missing opportunities to provide strategic input
- There are signs that scrutiny is not integral to or valued as part of the decision and policy making process
- Cabinet is not sufficiently visible or accountable to scrutiny. Scrutiny is not effectively holding it to account. Cabinet members are often observers or not present at scrutiny meetings.

40. The action plan developed following the review seeks to address these concerns and improvements, such as most reports now being presented by a Cabinet Member rather than officers, have already been put in place. The new Committee is encouraged to ensure the remaining actions are put into place.

41. Aside from the CfPS review and action plan, there are two other matters outstanding from this year which the outgoing Committee encourages the new Committee to pursue. They have been included on the draft work programme for 2019/20. These are:

- The Major Planning Applications Review
- An update on the work the Council is doing regarding airport parking.

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