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Uttlesford District Council

Chief Executive: Dawn French

Council

To all Members of Uttlesford District Council, you are hereby summoned to attend the meeting of the District Council to be held as shown below to deal with the business set out in the agenda.

Date: Monday, 16th December, 2019
Time: 5.30 pm
Venue: Council Chamber - Council Offices, London Road, Saffron Walden, CB11 4ER

Kind regards

Dawn French
Chief Executive

Chair: Councillor R Freeman
Members: Councillors A Armstrong, H Asker, G Bagnall, S Barker, M Caton, A Coote, C Criscione, C Day, A Dean, G Driscoll, D Eke, J Evans, P Fairhurst, M Foley (Vice-Chair), A Gerard, N Gregory, N Hargreaves, V Isham, R Jones, A Khan, P Lavelle, G LeCount, P Lees, M Lemon, B Light, J Lodge, J Loughlin, S Luck, S Merifield, E Oliver, R Pavitt, L Pepper, N Reeve, G Sell, A Storah, M Sutton, M Tayler and J De Vries

Important Information: Order of Business and Public Speaking

Due to the business on the agenda, the meeting will open at 5.30pm with public speaking relating to Item 12 – Investment Opportunity. Following apologies and declarations, the meeting will move into Part 2 (exclusion of public and press) to allow Council to debate Item 12. The remainder of the agenda, and any other public speakers, will be considered from 7.30pm onwards.

There will be up to 15 minutes in total for members of the public to ask questions and make statements subject to having given notice to Democratic Services by 12 noon two working days before the meeting.

AGENDA

PART 1

Open to Public and Press

- 1 Apologies for Absence and Declarations of Interest**

To receive any apologies and declarations of interest.
- 2 Minutes of the previous meeting** 5 - 16

To receive the minutes of the previous meetings held on 8 October and 31 October 2019.
- 3 Chairman's Announcements**

To receive any announcements from the Chairman.
- 4 Reports from the Leader and Members of the Executive** 17 - 30

To receive matters of report from the Leader and members of the Executive.

 - Update on Appeal Decisions and Associated Costs since 1 May 2019.
- 5 Questions to the Leader, Members of the Executive and Committee Chairmen (up to 15 minutes)**

To receive questions from members for the Executive and committee chairmen.
- 6 Matters referred from the Executive and the Council's committees**

To consider any reports referred from the Executive and the Council's committees and receive questions and answers on any of those reports.
- 7 Matters received about joint arrangements and external organisations**

To consider matters concerning joint arrangements and external organisations.
- 8 Local Council Tax Support Scheme Proposals 2020/21** 31 - 54

To consider the Local Council Tax Scheme Proposals 2020/21.

9 Commercial Strategy 55 - 68

To consider the Commercial Strategy.

10 Notice of Motion received: Climate Change 69 - 72

To consider the motion regarding Climate Change (as attached).

11 Notice of Motion received: North Essex Economic Strategy (NEES) 73 - 74

To consider the motion regarding the North Essex Economic Strategy (as attached).

12 Exclusion of Public and Press

Consideration of a report containing exempt information within the meaning of section 100I and paragraph 3 part 1 Schedule 12A Local Government Act 1972.

PART 2

Exclusion of Public and Press

13 Investment Opportunity 75 - 96

To consider an Investment Opportunity.

MEETINGS AND THE PUBLIC

Members of the public are welcome to attend any of the Council's Cabinet or Committee meetings and listen to the debate. All agendas, reports and minutes can be viewed on the Council's website www.uttlesford.gov.uk. For background papers in relation to this meeting please contact committee@uttlesford.gov.uk or phone 01799 510433/369.

Members of the public and representatives of parish and town councils are permitted to speak or ask questions at any of these meetings. You will need to register with the Democratic Services Officer by midday two working days before the meeting.

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.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

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Agenda Item 2

EXTRAORDINARY COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 31 OCTOBER 2019 at 7.00pm

Present: Councillor M Foley (Acting Chair)
Councillors A Armstrong, S Barker, M Caton, C Criscione, C Day, A Dean, G Driscoll, D Eke, J Evans, P Fairhurst, A Gerard, N Hargreaves, V Isham, R Jones, A Khan, G LeCount, P Lees, M Lemon, B Light, J Lodge, S Luck, S Merifield, R Pavitt, L Pepper, N Reeve, G Sell and M Sutton.

Officers in attendance: D French (Chief Executive), B Ferguson (Acting Principal Democratic Services Officer) and S Pugh (Assistant Director - Governance and Legal).

C47 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Bagnall, Freeman, Gregory, Lavelle, Loughlin, Storah and Tayler.

C48 POLITICAL PROPORTIONALITY AND APPOINTMENT TO COMMITTEES 2019-20

The Leader introduced the item on Political Proportionality and Appointment to Committees 2019-20. He said the item had been brought to an Extraordinary Meeting of Council due to the need to approve revised political balance in light of the formation of the Green Party Group. He welcomed the Green Party Group to Council and highlighted the significant activity that was being undertaken with regard to green issues. Announcements were also made in respect to changes to portfolio responsibilities, Cabinet Members and Cabinet Deputies. A list of Council, Cabinet and Committee membership has been appended to these minutes for information. In addition to the recommendations outlined in the report, the Leader proposed that Councillor LeCount be made substitute to the Essex Police, Fire and Crime Panel (EPFC).

In response to a Member question, the Chair said the appointment to the EPFC could be noted by Council.

Councillor Light thanked Members for the Green Party Group's welcome. She said the Group would work hard for residents in keeping the district green.

RESOLVED that Council:

- i) Reviews the allocation of seats on its committees and achieves political balance by allocating seats as follows:

Committee	No. Seats Available	R4U	LD	CONS	GREEN	IND
Governance, Audit and Performance	10	6	2	1	1	0
Licensing and Environmental Health	10	6	2	1	1	0
Planning	12	7	2	1	1	1
Scrutiny	10	6	2	1	0	1
Standards	9	3	2	2	1	1
Total	51	28	10	6	4	3

ii) That the Council increases the size of the Standards Committee from eight to nine members.

iii) That the Council makes appointments to committees in accordance with the nominations made by group leaders (as appended).

The meeting closed at 7.15pm.

COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 8 OCTOBER 2019 at 7.30 pm

Present: Councillor R Freeman (Chair)
Councillors A Armstrong, H Asker, G Bagnall, M Caton, A Coote, C Criscione, C Day, A Dean, G Driscoll, D Eke, J Evans, P Fairhurst, M Foley, A Gerard, N Gregory, N Hargreaves, V Isham, R Jones, A Khan, P Lavelle, G LeCount, P Lees, M Lemon, B Light, J Lodge, J Loughlin, S Luck, E Oliver, R Pavitt, L Pepper, N Reeve, G Sell, M Sutton, M Tayler and J De Vries

Officers in attendance: D French (Chief Executive); B Ferguson (Acting Principal Democratic Services Officer) and S Pugh (Assistant Director – Governance and Legal Services).

Also Present: P Allington, D Brett and E Gildea (Public Speakers); T Birkbeck and M Wolter (Youth Council); A Brown and J Derby (Essex Association of Local Councils).

C36 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Barker, Merifield and Storah.

C37 PUBLIC SPEAKING

Mr Brett made a statement regarding the need for sporting facilities across the District, specifically in the Stansted, Takeley and Elsenham areas. Mr Allington made a statement regarding the Administration's environmental policy. Mr Gildea spoke on Item 3 the petition 'Increasing Electric Vehicle Charging Points'. Summaries of their statements are appended to these minutes.

C38 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were approved and signed by the Chairman as a correct record, subject to the following amendment:

C32, paragraph 3: "Councillor Dean said officers needed certainty from the Administration, particularly regarding the drafting of next year's budget which would be approved in November" to 'Councillor Dean said officers needed certainty from the Administration, *particularly as preparatory work on next year's budget would begin in September.*'

Councillor Gerard thanked the Chair for following up his request to ascertain costs of Essex County Council's Library Services consultation.

C39 PETITION: INCREASING ELECTRIC VEHICLE CHARGING POINTS

Mr Gildea made his statement to Full Council and presented the validated petition to the Chair.

Councillor Gerard proposed to increase the number of electric charging points in Uttlesford to the recommended 55.

The Chair said this would not be debated tonight but he looked forward to a future debate.

C40 PRESENTATION OF NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC) FOUNDATION AWARD TO SAFFRON WALDEN TOWN COUNCIL

Amanda Brown and Joy Darby of the Essex Association of Local Councils (EALC) presented the NALC Foundation Award to Councillor Coote, Mayor of Saffron Walden Town Council (SWTC), who accepted the award on behalf of SWTC. Members were briefed on the achievements of SWTC, including the town's status as one of the top 500 tourist destinations in the country and how it was the first local council in Uttlesford to win the prestigious award. Lisa Courtney, the Town Clerk, said good governance came from the excellent, proactive leadership of the town councillors and the hard work of staff.

C41 CHAIR'S ANNOUNCEMENTS

The Chair provided an update on his activities since the last meeting. Specifically, he referenced his visit to Copped Hall, Epping, a Georgian Mansion currently under restoration by volunteers. Members were also informed of the forthcoming acoustics work which would be undertaken on the Council Chamber, perhaps over the Christmas period.

C42 YOUTH COUNCIL

The Chair brought Item 12 forward in proceedings for the benefit of those present.

Councillor Fairhurst presented the report to Full Council. He invited the Chair and Vice Chair of the Youth Council, Councillors Wolter and Birkbeck, to address Members.

Councillor Wolter said the aim of the Youth Council was to give a voice to young people in the community. After two years of hard work she said the Youth Council were gaining recognition and were being listened to. The Youth Council tackled serious issues affecting young people and she was proud of what the members had achieved since its establishment.

Councillor Fairhurst invited Youth Councillor Wolter to join Members and take a seat.

In response to member questions, Councillor Fairhurst said the Youth Council's intention from the outset was to be inclusive and attract members from further education, technical colleges and youth groups.

Youth Councillor Wolter said the Youth Council understood the need to be inclusive and would reach out to youth centres, sporting clubs and activity organisations to diversify their membership.

RESOLVED to note:

- i. The Youth Council has accepted the invitation to have a permanent nonvoting representative at Full Council meetings in order to participate in debates. The youth council will select a representative for each meeting taking into account content of the agenda.
- ii. The Youth Council has agreed to a standing invitation for District Council Members to attend Youth Council meetings and participate subject to the terms and conditions of the Youth Council constitution.
- iii. The Youth Council has accepted the offer for nominated District Council Members to support and assist the Youth Council in their engagement with local schools and the wider community to recruit members to the Youth Council and promote the democratic process.
- iv. Sufficient officer time will be allocated to the Youth Council to enable it to meet its objectives within existing resources.

C43

REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE

The Leader congratulated SWTC on its recent award and welcomed the Youth Council members to Full Council.

He said the Administration was working on a number of priorities and highlighted the improvements being made to the democratic process, such as the establishment of the Governance Review Working Group, which was reviewing the current governance model in place, and looking at potential alternative systems. Furthermore, Cabinet had been enlarged and the number of Topic Leads had been expanded to increase inclusivity and utilise the great deal of enthusiasm Members of the Administration had to offer. The Planning system was another area under review and changes had already been implemented to increase public speaking time at Planning Committee. Governance improvements to the Council's investment process were underway and the proposed Investment Board would be meeting later in the month to discuss potential opportunities. A working group had also been established to tackle the issue of climate change and the Council had declared a climate emergency at its previous meeting. Finally, the Leader said the Inspector's report on the proposed Local Plan was expected imminently. Development Boards and local forums

would be setup for each of the proposed Garden Communities to allow further input from the local communities affected.

Councillor Lees, Portfolio Holder for Housing, Health and Wellbeing, provided an update on the housing of refugees in the District through the Essex Resettlement Programme. Since October 2017, the Council had housed five families within the District. She said the Council were committed to playing their part in the Government's plan to resettle 50 families across Essex.

Councillor Lemon expressed his support for the scheme and said that two families who had been housed locally had settled in well.

Councillor Light updated Members on her portfolio responsibilities for Education, Libraries, Culture and Heritage. She said a successful STEM event had been held at the Council Offices with the help of Councillor Luck and she was looking into improving the availability of adult learning courses across Uttlesford. She said she also had ambitions to establish a Culture Steering Group with the aim of holding an arts festival next year, and would be working with Saffron Walden museum in the hope of displaying exhibitions in other parts of the District.

Councillor Eke updated Members on his portfolio responsibilities of Stansted Airport, Infrastructure and Transport. He said he had met with Councillors Bentley and Mitchell of Essex County Council (ECC) to explore the synergy between Uttlesford and ECC on the matter of transport. He said there was a need to tailor transport services to the rural needs of the District and this approach was supported by ECC. He had also met with Abellio, a leading operator of transport services in the region, to discuss future capacity in light of the Local Plan and Stansted Airport expansion of passenger numbers. He had been in discussions with Network Rail regarding line capacity and with Sir Alan Haselhurst regarding the high accident rate on the M11. He said work would start next year on Junction 7, which in turn could have a positive impact on Junction 8. In terms of highways, he had raised the issue of potholes with Councillor Bentley and how the system of repairing roads was an inefficient process. He said Uttlesford's Cycle Strategy had not progressed since its approval in 2014, due to the stipulation of Essex Highways that cycle paths had to be of a certain width. Space was limited due to the medieval infrastructure found across towns and villages in Uttlesford and this arbitrary measure would need to be changed if the scheme was to move forward. He added that S106 monies had been set aside for cycle improvements which had not been spent and he was meeting with relevant parties to utilise these funds. He said he had been in talks with Stansted Airport, with particular regard paid to the Stansted Area Transport Forum, which raised monies through a parking levy that could be used to fund transport services for the District, as well as bus services for Airport staff from further afield. The issue of flyparking around the Airport was also being looked at and he would be inviting North Essex Parking Partnership to a Forum meeting. He wanted MAG to release resources and take enforcement action to tackle the problem.

C44

QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRS (UP TO 15 MINUTES)

In response to a question asked at the previous meeting, the Leader highlighted the planning appeals report contained in the agenda pack. He said none of the applications that had been taken to appeal since 2 May 2019 had been resolved. He said he wanted a cooperative planning process, with members and officers working together. Furthermore, a number of applications that had been refused against officer recommendation prior to the local elections had been justified, as the appeals had been turned down.

Councillor Khan asked whether the Executive were in receipt of the minutes taken at Aspire Board meetings. He said this was very important to the governance arrangements surrounding the Council's investment arm and it would be wise to allow Council sight of these records.

The Leader said he was not, but this was a good point on governance and it would be looked into.

In response to a question regarding Brexit preparations, the Chief Executive said two bulletins on the matter had been sent to members but she would recirculate this information in the coming days.

In response to a question regarding the development of a new Corporate Plan, the Leader said his Administration did not want to rush what was an important piece of work. Councillor Fairhurst added that whilst the budget was being set there was a time window in which the Corporate Plan could be produced.

In response to a member question, Councillor Eke said Stansted Airport would be invited to send a representative to the next Uttlesford Transport Forum.

Councillor Sell requested that at future meetings each Cabinet Member produce written reports to update Full Council on their respective portfolios.

C45 **COMMERCIAL STRATEGY**

Councillor Fairhurst presented the report on the Council's proposed Commercial Strategy. He said the Council had no choice but to look for alternative revenue streams through investment opportunities, due to the reduction in central Government funding. The real question facing members related to governance and how decisions regarding investment opportunities were made. He said it was important that a structure was in place which minimised risk and encouraged inclusive decision making. To this end, an Investment Board would be established to explore investment opportunities and report back to Members. The Board would also be tasked with producing an Investment Protocol for Cabinet's consideration, which would set the ground rules to allow proper governance to take place.

In response to a question regarding the two Independent members who would be appointed to the Board, Councillor Fairhurst said the Board would interview and appoint external experts who understood the investment environment and who would add diversity to the process.

In response to a question related to decision making process, Members were informed that the Investment Board would consider investment opportunities and then make recommendations to Cabinet who would take the final decision.

Councillor Caton expressed a number of concerns relating to a lack of scrutiny, minimal checks and balances and risk sharing throughout the decision making process. Furthermore, no income generation or green targets had been set in the Strategy. He added that having officers on the Aspire Board of Directors would lead to a conflict of interests. He said this was not good governance and would be voting against the proposal.

In response, Councillor Fairhurst said he agreed with many elements of Councillor Caton's statement. The primary role of the Commercial Strategy was to empower the Investment Board, which would then set in place governance arrangements that would tackle the issues that had just been raised. The Investment Board had to be approved at this meeting for that to take place. He said the Strategy was a living document and would be amended as necessary to create the required structure to enable good governance. The role of Scrutiny would be critical and he would be attending the next Committee meeting at the invitation of the Chair. He said the Commercial Strategy before members was a step in the right direction of good governance, but it was certainly not the whole solution. The Strategy would evolve but this required the establishment of the proposed Investment Board.

Members discussed deferring the vote on the Commercial Strategy until further work had been done to improve the governance arrangements surrounding the Council's investment decision making process.

The Leader said the Council was in a position whereby it needed to make investments to ensure public services continued. Members did not have the luxury of time, investments were required to fund Council services.

The Chief Executive advised members that the Commercial Strategy was an amended version of the approved Investment Strategy, with the principal change being the establishment of the Investment Board. If members rejected the Commercial Strategy, the Investment Strategy would still remain in place which, in essence, was the same strategy.

In response to a request from Councillor Sell, Councillor Fairhurst made an undertaking to bring back a revised Commercial Strategy to the next meeting if the Strategy before members was approved tonight.

RESOLVED to approve the Commercial Strategy.

C46 **LOAN TO ASPIRE (MRH) LTD**

As the meeting had passed the two hour mark, the Chair asked Council whether they were willing to continue. Council gave its consent.

Councillor Fairhurst presented the report outlining an opportunity to acquire 10 student accommodation apartments in Cambridge through the Council's wholly owned subsidiary Aspire (MRH) Ltd. He said whilst this had not been formally considered by the Investment Board, as it had not been established at the time, the proposal had been scrutinised by prospective members.

Councillor Gerard said this represented a good opportunity as diversification of the Council's investment portfolio was good practice and minimised risk.

Councillor Criscione said as a prospective member of the Investment Board he had seen the proposals and was confident that this investment opportunity was a good one. He would be supporting the recommendation.

Councillor Khan said he had been sent the proposals regarding this investment opportunity but had not responded as he felt due process had not been carried out. He said such decisions required a formal governance structure to ensure the decision making process was transparent.

Councillor Fairhurst said governance had not been comprised as the decision had been brought to Council, in view of Members and the public.

RESOLVED to endorse the purchase and loan and to authorise the necessary borrowing.

The meeting ended at 9.45pm.

PUBLIC SPEAKING

Mr Brett

Mr Brett said the areas surrounding the villages of Stansted, Takeley and Elsenham were in great need of community sports facilities. The possibility of promotion for Stansted Football Club had led to a situation whereby the club needed to develop its ground to meet league requirements, but was held back due to a lack of funds. Investment was also required for the shared facilities at Hargrave Park, Stansted to ensure cricket and football club activities could continue. He said the lack of wealth in the area was demonstrated by having the highest rate of free school meals in the District and these areas needed investment the most to create opportunities. He added that investing in facilities in Stansted would be cost effective in comparison to the Council's commitment to funding the Carver Barracks Running Track, or the 3G football pitches proposed in Saffron Walden. He said in Elsenham improvement was required for facilities used by both the football and cricket clubs. He called on the Council to establish modern football and cricket pitches across Uttlesford that benefitted all, not just the wealthiest.

Mr Allington

Mr Allington, of the Uttlesford Green Party, congratulated Cllr Lodge and the Council for their declaration of a Climate and Ecology Emergency at the previous meeting. The direction of travel was a positive one as demonstrated by the establishment of the Energy & Climate Change Working Group and he looked forward to implementing the changes required to create a net-zero carbon policy by 2030. He also welcomed the recent planning decision which protected the land on de Vigier Avenue. He said this was an important step in keeping Uttlesford green and protecting land for the purposes of rewilding. Going forward, the Council had to guard against box ticking and ensure that the necessary infrastructure was in place to allow all residents to live environmentally sustainable lives. He urged the Council to hold firm on Stansted Airport expansion and the Local Plan. Reports on air quality had to be coupled with a common sense approach, particularly in cases where pollution was evident and data sets were unreliable.

Mr Gildea

Mr Gildea, of the Green Party and St Mary's Church Eco Team, highlighted the recent Friends of the Earth report that rated Uttlesford District Council as poor in terms of environmentally friendly initiatives. Tree cover, commuter journeys by public transport and the insulation of homes were all areas of concern. He said an opportunity had been missed by the previous Administration as solar panels should have been installed on the new buildings housing B&M and the Costa Coffee complex. He estimated that over 100 panels could have utilised to provide power to the neighbouring community. He was delighted by the refusal of the planning application at de Vigier Avenue, as the woodland provided a haven for biodiversity in the town, but he had noticed that a new neighbouring development had not installed any electric vehicle charging points. A line in the sand had to be drawn and to this end he was pleased to present the petition to

increase the number of electric vehicle charging points across the District.
Electric cars were the future and he urged the Council to not be left behind.

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Committee: Council

Date:

Title: Update on Appeal Decisions and Associated Costs since 1 May 2019

16 December 2019

Report Author: Gordon Glenday Assistant Director Planning (01799 510601)

Summary

1. Following a request from Councillor Barker, this report provides an update on the Planning Committee's decisions since 1st May 2019. This report is to update the position and, in particular, highlighting any appeal decisions and any associated costs relating to these appeals incurred by the Council.
2. That Council note the report

Financial Implications

3. None but a subsequent report in February 2020 will include any update on costs incurred as a result of any appeals that have been determined by the Planning Inspectorate.

Background Paper

4. No background papers.

Impact

- 5.

Communication/Consultation	
Community Safety	
Equalities	
Health and Safety	
Human Rights/Legal Implications	The legal framework for planning appeals is set out in the planning acts and related regulations
Sustainability	This is a key factor in determining the weight to be attached to material considerations in an appeal
Ward-specific impacts	All

Workforce/Workplace	Explained in the report
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Situation

6. Planning applications are either determined by officers through delegated powers or else by the Planning Committee. Where an applicant is dissatisfied with the Council's decision to refuse planning permission, they have the right to have their case considered by the Planning Inspectorate (PINS). This is referred to as the planning appeals process.
7. Depending upon the complexity of the planning case, appeals can take the form of written representations, informal hearings or for more complex cases, public inquiries.
8. Most planning appeals are decided by the written representations procedure. With this procedure the Planning Inspector will consider written evidence from the appellant, the local planning authority (LPA) and anyone else who has an interest in the appeal. The written evidence usually takes the form of a statement of case by the main parties (the appellant and the LPA), and there is also the opportunity to comment on each other's statements. Third parties can also submit additional representations, although any original comments made in respect of the planning application will already have been forwarded onto the Planning Inspector. There are strict timeframes for when the various written submissions must be submitted, and these will be set out in a letter from the Planning Inspectorate when the appeal is validated. It should also be noted that in the case of householder appeals there is a slightly different process, and that there are no opportunities to submit further information once the original appeal form has been submitted. The Planning Inspector considers all the written evidence that is made available and will also visit the site, usually accompanied by the main parties. A written decision is usually made several weeks after the site visit.
9. An informal hearing involves the submission of written evidence by the main parties with a similar process and timeframe to that used for written representation appeals. However, the process will also include an informal hearing once all the written submissions have been received. This takes the form of a round-the-table discussion that will be led by the Planning Inspector. It is intended to be an informal process and allows for all parties to respond to any questions that the inspector might have, and to let everyone make their case known. Third parties, such as local residents, councillors and amenity/community groups may also attend and take part in the discussion. The majority of hearings will take no longer than a day and usually conclude with a site visit. Sometimes, more complex proposals may take several days to discuss. A written decision is usually made several weeks after the hearing.
10. A local inquiry is a more formal procedure than the informal hearing route and is usually used for complex cases where legal issues may need to be considered. The main parties will usually have legal representatives to present their case and to cross-examine any witnesses. Prior to the inquiry date, the Planning Inspectorate will expect to have received various documents from all parties that will be taking part in the appeal. These may include statements of case and proofs of evidence from expert witnesses.

Third parties may also take part. The inquiry will be led by the inspector and will follow a formal procedure. All parties will have the opportunity to present their case, and witnesses are likely to be questioned by the inspector and the other parties as to the evidence that they have presented. Much of the evidence may be technical or specialist knowledge that needs to be carefully presented and understood by the inspector. An inquiry may take one or several days, or in some cases weeks. The length of the inquiry will depend on the complexity of the case and the number of witnesses involved. At some point during or on conclusion of the inquiry the inspector and the main parties will undertake a site visit. A written decision is usually made several weeks after the inquiry.

11. Dealing with planning appeals can be a costly and time-consuming activity for the Council, particularly those which go to Hearings and Public Inquiries. Clearly, the most expensive element of any appeal process is where the Council needs to engage expert legal advice or specialist consultants in key topic areas. However, in addition to these costs, all planning appeals require the allocation of officer time away from dealing with other day to day work such as dealing with planning applications. This involves more than just the time of the planning case officer in most instances. Officers from other parts of the Council's planning team, conservation, economic development, environmental health and Essex County Council's highways teams also need to allocate time to assist with appeal statements and public inquiry appearances. It is therefore important that decisions on planning applications are sound and based on robust assessments of the evidence and planning issues.
12. Since 1 May 2019, the Planning Committee has determined 53 planning applications (see Appendix 1). Out of these 53 decisions, 11 were refused by the Planning Committee against the officer's recommendation. 1 application was deferred until after the Felsted Neighbourhood Plan Examination and receipt of the independent examiner's report. So far, the council has received 6 appeals from the Planning Inspectorate and notified of 2 others.
13. The 6 are currently in progress and are to be dealt with by written representations (as opposed to a hearing or public inquiry).
 - 1 appeal is against non-determination (deferred by Committee);
 - 2 appeals are where the decision was against officer recommendation and
 - 3 are against refusal (Committee decision agreed with officer recommendation).
14. In order to ensure that members are informed of the progress of planning appeals and their associated costs, a subsequent report will be presented to Full Council in February incorporating updates on appeal decisions and any costs incurred as a result of these appeal cases.

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Appendix 1

Planning Applications Determined by Planning Committee since 1 May 2019

Application Number	ADDRESS	Officer recommendation	Actual Decision	Appeal Lodged
UTT/16/3565/OP	Land To The West Of Bonningtons Farm Station Road Hatfield Broad Oak	Approve	Refused	No
UTT/17/2100/FUL	Bullocks Farm Bullocks Lane Takeley CM22 6TA	Approve	Approved	N/A
UTT/18/0386/FUL	Great Chalks High Street Hatfield Broad Oak CM22 7HQ	Approve	Approved	N/A
UTT/18/1027/FUL	Land To The East Of Whiteditch Lane Newport CB11 3UD	Refuse	Refused	N/A
UTT/18/1827/FUL	Bricketts London Road Newport CB11 3PP	Approve	Refused	No
UTT/18/1948/FUL	Land At Claremont Nursery Sheering Road Hatfield Heath Bishops Stortford CM22 7LJ	Approve	Approved	N/A
UTT/18/1993/FUL	Land To The West Of High Lane Stansted	Approve	Approved	N/A
UTT/18/2297/OP	Land To The North Of De Vigier Avenue Saffron Walden	Refuse	Refused	N/A
UTT/18/2523/FUL	Westons Yard	Approve	Approved	N/A

	Chelmsford Road White Roding CM6 1RF			
UTT/18/2820/FUL	Land At Thaxted Road Saffron Walden Essex	Approve	Approved	N/A
UTT/18/2959/DFO	Land East Of Little Walden Road Saffron Walden Essex	Approve	Refused	No
UTT/18/3293/FUL	Branksome Whiteditch Lane Newport Essex CB11 3UD	Approve	Refused	No
UTT/18/3369/FUL	Land South Oxleys Close Stortford Road Clavering CB11 4PB	Approve	Refused	Yes
UTT/18/3399/FUL	Former Walden Dairy 135 Thaxted Road Saffron Walden Essex CB11 3BJ	Approve	Approved	N/A
UTT/18/3518/FUL	Holroyd Components Ltd Shire Hill Industrial Estate Shire Hill Saffron Walden	Approve	Approved	N/A
UTT/18/3529/OP	Land To The South Of Braintree Road Felsted Essex	Approve	Deferred	Yes
UTT/19/0004/FUL	Park View And Pleasant View Brick Kiln Lane Rickling Green Saffron Walden CB11 3YH	Approve	Refused	Yes

UTT/19/0293/FUL	Land To The North Of Chickney Road Henham Hertfordshire	Refuse	Refused	Yes
UTT/19/0311/LB	Barn At Hill House Cambridge Road Quendon CB11 3XJ	Approve	Approved	N/A
UTT/19/0362/FUL	Barn At Hill House Cambridge Road Quendon Saffron Walden CB11 3XJ	Refuse	Refused	Yes
UTT/19/0391/FUL	Land At Bury Water Lane Bury Water Lane Newport	Approve	Refused	No
UTT/19/0427/FUL	Haydens House Onslow Green Barnston CM6 3PP	Approve	Approved	N/A
UTT/19/0437/OP	Land South Of Rush Lane Elsenham	Approve	Refused	Notified
UTT/19/0484/OP	Friarton Chatter End Road Farnham CM23 1HL	Approve	Approved	N/A
UTT/19/0514/HHF	Wearns Folly 9 Carmen Street Great Chesterford Saffron Walden CB10 1NR	Approve	Approved	N/A
UTT/19/0551/FUL	Hammer Hill Farm Stanbrook Road Thaxted Dunmow CM6 2NH	Approve	Approved	N/A
UTT/19/0671/FUL	Former Molecular Products Site Mill End Thaxted Essex CM6 2LT	Approve	Approved	N/A

UTT/19/0673/HHF	20 Mill Close Elsenham Bishops Stortford Hertfordshire CM22 6EG	Approve	Approved	N/A
UTT/19/0761/FUL	Railway Arms Station Road Saffron Walden CB11 3HQ	Approve	Refused	No
UTT/19/0829/FUL	The Old Cement Works, Land Behind Thaxted Road Saffron Walden CB10 2UQ	Approve	Approved	N/A
UTT/19/0899/FUL	Parsonage Farm Church End Church Street Henham Bishops Stortford Hertfordshire CM22 6AN	Approve	Approved	N/A
UTT/19/0900/LB	Parsonage Farm Church End Church Street Henham Bishops Stortford Hertfordshire CM22 6AN	Approve	Approved	N/A
UTT/19/0946/FUL	Land East Of Dunmow Road Aythorpe Roding Essex CM6 1PQ	Refuse	Refused	Notified
UTT/19/0966/FUL	Land South Of The Farmhouse Old Mead Road Henham Hertfordshire	Approve	Approved	N/A
UTT/19/1054/OP	Land North Of Henham Road Debden Essex	Refuse	Refused	Yes
UTT/19/1115/FUL	Brazille	Approve	Approved	N/A

	14 St Johns Crescent Stansted CM24 8JT			
UTT/19/1253/FUL	Millway Stationery Ltd Chapel Hill Stansted CM24 8AP	Approve	Approved	N/A
UTT/19/1301/FUL	Land East Of Foxley House Cambridge Road Quendon	Approve	Approved	N/A
UTT/19/1389/FUL	22 Thaxted Road Saffron Walden Essex CB11 3AA	Approve	Approved	N/A
UTT/19/1411/FUL	Endeavour Littlebury Green Road Littlebury Saffron Walden Essex CB11 4XB	Refuse	Refused	N/A
UTT/19/1428/DOC	Dimmings High Street Hempstead Saffron Walden Essex CB10 2PE	Discharge in Full	Discharge in Full	N/A
UTT/19/1463/FUL	Land At Robels Cutlers Green Cutlers Green Lane Thaxted Dunmow Essex CM6 2QD	Refuse	Refused	N/A
UTT/19/1490/HHF	Woodview House Woodview Drive Rickling Green Saffron Walden Essex CB11 3YZ	Approve	Approved	N/A
UTT/19/1524/FUL	Great Chalks	Approve	Refused	No

	High Street Hatfield Broad Oak CM22 7HQ			
UTT/19/1527/FUL	Great Chalks High Street Hatfield Broad Oak CM22 7HQ	Approve	Refused	No
UTT/19/1583/FUL	Land To The South Of School Lane Takeley	Approve	Approved	N/A
UTT/19/1725/FUL	Land At Acre Croft High Street Great Chesterford Saffron Walden Essex CB10 1PL	Refuse	Refused	N/A
UTT/19/1823/FUL	Saffron Walden County High School Audley End Road Saffron Walden CB11 4UH	Approve	Approved	N/A
UTT/19/1869/HHF	33 Station Road Wendens Ambo Saffron Walden Essex CB11 4LB	Approve	Approved	N/A
UTT/19/1870/HHF	35 Station Road Wendens Ambo Saffron Walden Essex CB11 4LB	Approve	Approved	N/A
UTT/19/1995/FUL	Fry Art Gallery 19A Castle Street Saffron Walden CB10 1BD	Approve	Approved	N/A
UTT/19/2340/HHF	21 Blythwood Gardens Stansted CM24 8HQ	Approve	Approved	N/A
UTT/19/2398/TCA	2 Barley Hall Cottages Parsonage Downs Dunmow	No Objection	No Objection	N/A

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Committee:	Council	Date:	16 December 2019
Title:	Local Council Tax Support Scheme Proposals 2020/21		
Portfolio Holder:	Portfolio Holder for Finance and Budget Cllr Neil Hargreaves		
Report Author:	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk		

Summary

1. There is a requirement to annually review the Local Council Tax Support (LCTS) Scheme, and propose changes to the scheme for the following financial year. The decisions made, even if no change is proposed, must then be consulted upon before a decision is taken at Full Council in December on the final scheme for the following financial year.
2. As can be seen from the table in paragraph 8 Uttlesford has the lowest percentage contribution requirement of any authority in Essex. This demonstrates that whilst the council has had sufficient funds to support the scheme it has done so.
3. In 2013/14 when the original scheme was introduced the contribution rate was set at 8.5%. This increased in 2014/15 to 12.5% and it has remained at this rate for each subsequent year.
4. The Cabinet agreed their draft proposals for the 2020/21 LCTS Scheme at the Cabinet meeting on the 15 July.
5. The Council carried out a consultation with all preceptors and the public on the LCTS scheme draft proposals for 2020/21 over the summer. The consultation responses report is included as Appendix 1.
6. The LCTS scheme proposals along with the consultation responses were reviewed at the Cabinet meeting on the 26 November and Cabinet agreed that the proposals to maintain the scheme on the current basis should be presented to Full Council for ratification.

Recommendations

7. That the Council approve the Local Council Tax Support scheme for 2020/21 as set out in this report and recommended by Cabinet on 26 November 2019.
 - I. The 2020/21 LCTS scheme is set on the same basis as the 2019/20 scheme and therefore the contribution rate is frozen for the fifth consecutive year.
 - II. The Council continues to protect Vulnerable and Disabled Residents and Carer's on a low income.

Financial Implications

8. Detailed in the main body of this report.

Background Papers

9. None

Impact

Communication/Consultation	Proposals subject to public consultation and discussions with major preceptors
Community Safety	None.
Equalities	An equalities impact assessment has been included as Appendix B
Health and Safety	None.
Human Rights/Legal Implications	Compliance with relevant legislation.
Sustainability	The objective is to achieve a financially sustainable set of arrangements.
Ward-specific impacts	None.
Workforce/Workplace	Ongoing demands on the Revenues & Benefits, Housing and Customer Service teams

Local Council Tax Support (LCTS) Scheme

10. The LCTS scheme was implemented to replace the Council Tax Benefit (CTB) scheme which was fully funded by the Department for Work and Pensions in 2013.
11. In 2013 the Government provided funding at 90% of the cost of the previous year's CTB scheme to local councils for the scheme. Overall council funding has reduced each year which directly affects our financial ability to support the LCTS scheme.
12. Each year the Council must decide whether to change the LCTS scheme for working age applicants in its area. The LCTS scheme for Pension Age claimants is set by Government who state we must fully protect pensioners under the same rules that applied to Council Tax Benefit. This means we have no discretion in the help we give people over pension age, as there are nationally set rules for this group.
13. Changes to the scheme will only affect working age claimants who currently receive LCTS or who may apply in the future, to provide support for people on certain benefits and low incomes.
14. The Council has adopted a scheme which has the following key elements:
 - a) Pensioners on low income protected from adverse changes (as required by Government)

- b) Disabled people, carers and blind people on a low income receive discretionary protection from adverse changes
- c) Working age people previously on full CTB pay no more than 12.5% of the council tax bill
- d) £25 per week of earned wages income disregarded from assessment (to provide a work incentive)
- e) Child Benefit and Child Maintenance disregarded from assessment (to minimise exacerbation of child poverty, or accusations of same)
- f) Hardship Policy to enable additional support for genuine extreme hardship cases

Contribution Rates across Essex

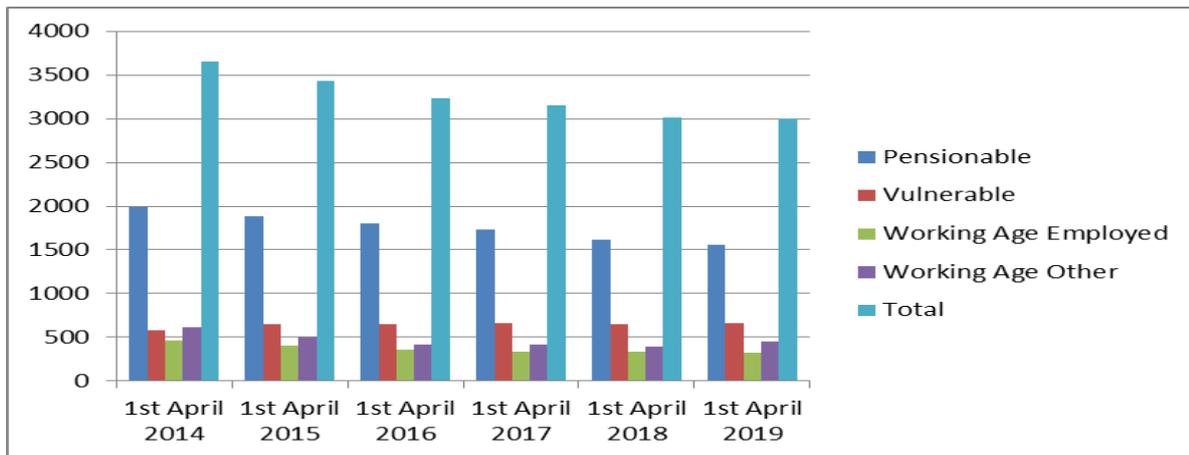
15. The council has the lowest percentage contribution rate within Essex with the highest being set at the maximum permitted level of 30%.

	Contribution Rate (%)						
	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Basildon	15	25	25	25	25	25	25
Braintree	20	20	20	20	24	24	24
Brentwood	20	20	20	20	20	20	20
Castle Point	30	30	30	30	30	30	30
Chelmsford	20	23	23	23	23	23	23
Colchester	20	20	20	20	20	20	20
Epping Forest	20	20	20	25	25	25	25
Harlow	24	24	24	26	24	24	24
Maldon	20	20	20	20	20	20	20
Rochford	20	20	20	20	28	28	28
Southend-on-Sea	25	25	25	25	25	25	25
Tendring	15	15	20	20	20	20	20
Thurrock	25	25	25	25	25	25	25
Uttlesford	8.5	12.5	12.5	12.5	12.5	12.5	12.5

Caseload

16. The following table and graph details the caseload as at 1st April for each of the previous 6 years.

	1st April 2014	1st April 2015	In year movement	1st April 2016	In year movement	1st April 2017	In year movement	1st April 2018	In year movement	1st April 2019	In year movement
Pensionable	1,984	1,881	(103)	1,807	(74)	1,735	(72)	1,621	(114)	1,557	(64)
Vulnerable/Disabled	582	651	69	653	2	667	14	651	(16)	664	13
Working Age - Employed	470	406	(64)	359	(47)	334	(25)	341	7	323	(18)
Working Age - unemployed	612	498	(114)	417	(81)	419	2	400	(19)	452	52
Total Claimants	3,648	3,436	(212)	3,236	(200)	3,155	(81)	3,013	(142)	2,996	(17)



Effect of changing the Contribution Rate

17. The Band D equivalent used in this report for the calculation of the effect of an increase in contribution rate and the full cost of the scheme is estimated based on the 2019/20 Band D equivalent uplifted to reflect the estimated cost for 2020/21.
18. For each increase of 2.5% in the contribution rate it would generate a potential additional council tax income of £32,261 across all the preceptors of which the council would retain £4,517.
19. The impact of each 2.5% increase on a Working Age claimant who receives the maximum amount of LCTS would be an additional £41.63 per year to pay, equating to £0.80p per week.
20. The financial gain and the claimant impact are detailed in the table below, the costings are based on all working age claimants paying a 12.5% contribution, as it is impossible to identify and calculate precise figures as the contribution level varies dependant on the claimant's financial circumstances.

Percentage Contribution	Average liability income due	90% Collection Rate	Increase @ 2.5% increments	Additional Cost to claimant	
				per year	per week
12.50%	£179,230.22	£161,307			
15%	£215,076.26	£193,569	£32,261	£41.63	£0.80
17.50%	£250,922.31	£225,830	£64,523	£83.26	£1.60
20%	£286,768.35	£258,092	£96,784	£124.88	£2.40

Income Sharing Agreement

21. An Essex wide income sharing agreement was entered into with all billing authorities and major preceptors at the time of implementation of the new LCTS scheme.
22. The main principles of the agreement are to ensure a joint approach in maximising income collection, reduce fraud and ensure compliance.
23. By working proactively on fraud this ensures that our Taxbase is maintained at the maximum level generating extra revenue for both the major preceptors and billing authorities.
24. Preceptors receive a share of all income generated for Council Tax and this is allocated through the Collection Fund at year end.

25. The increased income generated specifically from these activities and internal decisions by UDC each year is monitored and the preceptors have agreed to share their element of the extra income with the Local Authorities.
26. Two posts are being funded through this agreement to work directly on all areas of fraud and compliance within Council Tax.
27. We are currently working with Essex County and other Local Authorities on the 'Next Steps for the Sharing Agreement'. Due to the success of this agreement for all parties it is anticipated that this will continue.
28. The income generated directly from this work will also be shared as per the agreement.

LCTS Administration, hardship and recovery funding

29. As part of the scheme the major preceptors (County, Fire and Police) provide funding of £34,000 per annum to employ an officer to ensure the efficient administration of the LCTS scheme. The officer also works with those people affected by the scheme to provide support in managing their payments and thereby avoiding costly recovery action being taken.
30. Essex County Council contributes £7,000 per annum towards the running of the hardship scheme which has a £15,000 annual budget (£8,000 UDC element).

Full cost of LCTS scheme

31. The following table shows that the forecast financial position for UDC in 2020/21 is a net cost of £380,021, based on the caseload as at 1 April 2019 and a forecast band D equivalent.

£'000	LCTS Expenditure 2020/21	County, Fire and Police Share	UDC Share 2020/21
LCTS Discounts	3,469,564	2,983,825	485,739
Major Preceptors - Sharing Agreement (14%)	0	105,687	(105,687)
Net of LCTS Scheme & Discounts	3,469,564	3,089,512	380,052
Major Preceptor LCTS Funding (Admin & Recovery)	0	34	(34)
LCTS Hardship Scheme	15	7	8
ECC Funding of Hardship Scheme	0	5	(5)
Total Net Cost	3,469,579	3,089,558	380,021

32. The expectation is that current caseload levels will remain fairly static, but it should be noted that these could see some further increases with the wider rollout of UC.

Consultation Responses

33. The consultation period for all the major preceptors (Essex County Council and the Police, Fire and Crime Commissioner) and Town and Parish Councils

began on the 22 July and 27 August for the public with both closing on the 30 September.

34. The full report on the outcomes of the Consultation can be viewed in Appendix 1. This includes additional comments submitted and the responses to these of the Cabinet Member for Finance.
35. A total of 156 responses were received, 134 from the public and 22 from preceptors.
36. The consultation responses are detailed in the following table (please note that not all respondents answered all the questions);

Questions		Residents	Preceptors	Total	
<p>Q1 The Government has said pensioners on low income must be given full protection from the implications of the Local Council Tax Support (LCTS) scheme. Uttlesford's current scheme also protects disabled people on a low income and carers on a low income.</p>					
Do you agree with this?	Yes	86	19	105	94%
	No	7	0	7	6%
		93	19	112	100%
<p>Q2 In the past few years the level that working age recipients in Uttlesford contribute towards their Council Tax bill has been set at 12.5%. This is the lowest contribution of any council in Essex.</p>					
Should the council keep the rate at 12.5%?	Yes	64	12	76	67%
	No	31	7	38	33%
		95	19	114	100%
<p>If "No", do you think the discount should be larger or smaller?</p>					
	Larger	13	2	15	45%
	Smaller	17	1	18	55%
		30	3	33	100%

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Assumptions about costs and income levels are incorrect	2 (a high degree of variability and estimation is involved)	2 (adverse or favourable cost affecting the council budget/collection fund)	Monitor trends closely and review scheme each year to make necessary adjustments

- 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.

Uttlesford District Council October 2019

Local Council Tax Support (LCTS)

A summary report on the survey about Local Council Tax Support (LCTS) provision in Uttlesford for the financial year 2020-2021.

Uttlesford District Council has been consulting local residents regarding the Local Council Tax Support Scheme since 2012 during which time the Scheme has undergone various changes.

For the current consultation, surveys were made available to citizens across the district, town and parish councils and key preceptors (Essex County Council and the Police, Fire and Crime Commissioner). The online survey was publicised through the council's website which provided a direct link to web version of the questionnaire. Paper copies of the survey were also made available from the council's main access points in Saffron Walden, Great Dunmow and Thaxted. A link to an online version of the survey was sent directly to Essex County Council, the PFCC and to all town and parish councils in the district. Further publicity throughout the consultation period included a press release to all local media, promotion via the council's e-newsletters and through social media.

The survey questions were presented so that respondents could 'tick' their preferred response. However, some additional comments were sent directly to the council's Consultation team and are included as an appendix to this report.

Results – Public Survey

Counts = the number of surveys returned or the number of answers to a particular question

Percentage = the proportion of surveys returned or people who answered a question in a certain way

Overall submissions	Result counts (percentage)
Total number of paper forms returned:	3 (2.24%)
Total number of web forms submitted:	131 (97.76%)
Total number of responses to the survey:	134 (100%)
Number of people who entered their postcode:	86

Question	Result counts (percentage)	Overall result
<p>Q1 The Government has said pensioners on low income must be given full protection from the implications of the Local Council Tax Support (LCTS) scheme. Uttlesford’s current scheme also protects disabled people on a low income and carers on a low income.</p> <p>Do you agree with this?</p>	<p>Yes a - 86 (92.47%)</p> <p>No - 7 (7.53%)</p>	Yes
<p>Q2 In the past few years the level that working age recipients in Uttlesford contribute towards their Council Tax bill has been set at 12.5%. This is the lowest contribution of any council in Essex.</p> <p>Should the council keep the rate at 12.5%?</p>	<p>Yes - 64 (67.37%)</p> <p>No - 31 (32.63%)</p>	Yes
<p>If “No”, do you think the discount should be larger or smaller?</p>	<p>Larger - 13 (43.30%)</p> <p>Smaller - 17 (56.70%)</p>	Smaller

Results – Survey of town and parish councils, Essex County Council and the Police, Fire and Crime Commissioner

Surveys were made available electronically to town and parish councils and the key preceptors, Essex County Council and the Police, Fire and Crime Commissioner.

Some parish and town councils submitted more than one response and some sent a comment by email rather than completing an online form. A summary of responses to questions has been included in the results below and the additional comments are included at the end of the report.

Overall submissions	Result counts (percentage)
Total number of web forms submitted:	20 (90.91%)
Total number of comments emailed directly:	2 (9.09%)
Total number of responses to the survey:	22 (100%)
Organisations who supplied their name:	18

Headline question	Result counts (percentage)	Overall result
<p>Q1 The Government has said pensioners on low income must be given full protection from the implications of the Local Council Tax Support (LCTS) scheme. Uttlesford's current scheme also protects disabled people on a low income and carers on a low income.</p> <p>Do you agree with this?</p>	<p>Yes - 19 (100%)</p> <p>No - 0 (0.00%)</p>	Yes
<p>Q2 In the past few years the level that working age recipients in Uttlesford contribute towards their Council Tax bill has been set at 12.5%. This is the lowest contribution of any council in Essex.</p> <p>Should the council keep the rate at 12.5%?</p>	<p>Yes - 12 (63.16%)</p> <p>No - 7 (36.84%)</p>	Yes
<p>If "No", do you think the discount should be larger or smaller?</p>	<p>Larger - 2 (66.67%)</p> <p>Smaller - 1 (33.33%)</p>	Larger

Summary

In summary, responses to the Local Council Tax Support Scheme questions indicates a majority view that the current scheme should remain unchanged.

Additional comments received in conjunction with the survey about Local Council Tax Support (LCTS) provision in Uttlesford for the financial year 2020-2021.

Additional Comments – Public Survey

Thank you for embarking on this consultation; I'm pleased to have the opportunity to offer my views.

As part of this consultation, please could you register my strong opinion that the 12.5% minimum tax rate should be reduced to 0%. I would also like to offer some addition comments and suggestions.

I applaud the improvements to some UDC information that now explain 'Anyone in Uttlesford on a low income and entitled to Disability Living Allowance or Carers Allowance will have some protection' – rather than saying vulnerable and disabled people are protected as has been stated in some previous years. For a variety of reasons, most disabled people don't receive DLA. However, please check whether you really mean 'recipients of DLA' rather than people entitled to DLA. The difference is important. Many people lack the health or other resources to complete the DLA application process, let alone appeal DLA initial decisions. It will really help if the UDC avoids inadvertently misleading residents about the realities of DLA (and PIP). The UDC could make this small further contribution to being part of the DLA/PIP solutions rather than part of the DLA/PIP problems.

The UDC consultation questions seemed to me to be inadequate. Q1 asked about whether we should 'protects vulnerable and disabled people'. This misleading. Whilst I realise, and applaud that, UDC offers a lower minimum rate of tax than some councils, despite our best efforts, we only protect some 'vulnerable and disabled people'. By no means all. We should not pretend otherwise.

Member response – The question correctly says that LCTS reduction is available to various categories of people on a low income. It doesn't imply that it covers for example disabled people who are not on a low income. Receipt of DLA is one of many factors on the LCTS application form, which includes other disability related questions, in order to determine eligibility. However, it is very much agreed that the forms are long. Council staff are available and happy to help residents complete the forms.

Additional Comments – Public Survey

Q2 omitted to enquire whether the tax rate should be lowered, and if so, to what %. I realise that financially it's hard for the Council to reduce its income. However, I would maintain that the Council has more options to raise its income, and to 'get by' than its constituents living in poverty, and/or with chronic illness and/or disability. In my opinion, such constituents should not be required to pay any Local Council Tax.

The survey omitted including a meaningful question concerning the accessibility of Local Council Tax Support. I'd suggest that, at the very least, the UDC should collect information as to why everyone entitled to UDC LCTS doesn't claim it. A vague question about the UDC information strategy seems to me woefully inadequate in this respect. Lastly, whilst I understand that analysis and summary of comments is not easy and adds to the cost of a survey, I believe that omitting the option of additional comments in the survey itself makes it harder for the UDC to accurately interpret the responses to the questions.

Member Response - An 'open ender' comments section was not included because the questions were very specific and only about LCTS. Analysing, categorising and responding to comments which could be on any topic and not necessarily related to LCTS was outside the scope of this survey.

If you want my honest opinion we should not have to pay it at all because the policing is so poor in area (big question is where did the money for the old Police Station go).

Additional comments – Town and parish councils and preceptors (Essex County Council and Police, Fire and Crime Commissioner)

I'm writing on behalf of Saffron Walden Town Council to respond to the UDC consultation on the Local Council Tax Support.

Our response is that it

AGREES with the statement in Question 1: "The government has said pensioners on a low income should be given a discount under the Local Council Tax Support (LCTS) scheme. Uttlesford's current scheme also protects vulnerable and disabled people and carers on a low income."

FURTHER the Town Council considers that all people on low incomes should be given support, and not just those in the categories listed.

Localising Council Tax Support for Town and Parish Councils 2020-21

The loss to Saffron Walden Town Council of the withdrawal of the LCTS for the financial year 2018-19 represented the equivalent of 2.7% of the Precept for our tax payers. This is money that the Council must find by cutting other projects to the detriment of the people of Saffron Walden.

Rt. Hon. Sajid Javid, Secretary of State for Business, Innovation and Skills, in his speech to the National Association of Local Councils in October made a number of salient points:

"I know that not enough cash from the principal support grant is finding its way down to your level and that's just not right.

Principal authorities should be devolving responsibilities to local councils because you are best placed to deliver more tailored services.....not so that they can save a few pounds and get important work done on the cheap.

They certainly shouldn't be using parish precepts as a means of avoiding their own cap on council tax increases."

Additional comments – Town and parish councils and preceptors (Essex County Council and Police, Fire and Crime Commissioner)

“The government has previously issued guidance to billing authorities on this, making clear that they should work with parish and town councils to pass down appropriate levels of funding.

But from my conversations with you, it’s clear that too many top-tier councils aren’t following that guidance closely enough.

So let me promise you all today that I’ll be exploring ways in which I can strengthen the requirement for principal authorities to pass a share of local council tax support to their towns and parishes.

It’s the least you deserve.

As you do more for your residents, so their interest in your work is likely to increase.”

“Ask most British people where they live and they won’t name their principal local authority area.

They’ll tell you about their town, their village, their neighbourhood.

Local identity isn’t about lines on a map, it’s about community.

People are more attached to their town or village than to their district or borough.”

Since our last submission to Uttlesford in November 2017 the Council has faced a number of calls on its resources.

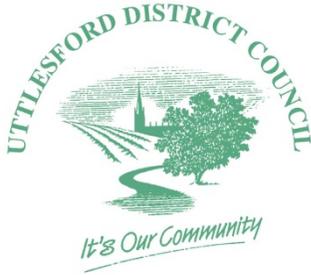
The Rates charged on our premises have increased from between 2.3% to 12.5%. Next year the Council will no longer receive the grant from Uttlesford to operate the toilets in Hill Street, this will result in SWTC needing to fund the upkeep from its own resources. The threat by the Government to charge VAT on market lettings would have serious repercussions for a town like saffron Walden and would be an additional cost the Council would have to pass on to its stall holders. This is in spite of frequent assurance that town high streets must remain viable.

Saffron Walden Town Council earnestly requests that Uttlesford District Council reinstates its previous policy of sharing the LCTS with local Town and Parish Councils.

Additional comments – Town and parish councils and preceptors (Essex County Council and Police, Fire and Crime Commissioner)

Member Response - In 2013 the Government provided funding at 90% of the cost of the previous year's CTB scheme to local councils for the LCTS scheme, year on year the council has seen funding allocations reduce significantly in excess of the level of funding originally allocated. Whilst the funds were available the council were able to allocate grants to support preceptors but with no direct funding to be shared, each preceptor takes the burden pro rata to their precept.

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Uttlesford District Council

Fast-track equality impact assessment (EqIA) tool

What is this tool for?

This tool will help you to assess the impact of existing or new strategies, policies, projects, contracts or decisions on residents and staff. It will help you to deliver excellent services, by making sure that they reflect the needs of all members of the community and workforce.

What should be equality impact assessed?

You only need to equality impact assess strategies, policies, projects, contracts or decisions that are **relevant** to equality. If you are not sure whether your activity is relevant to equality take the 'relevance test' on Page 9.

How do I use the tool?

This tool is easy to use and you do not need expert knowledge to complete it. It asks you to make judgments based on evidence.

The tool uses a system of red flags  to give you an indication of whether or not your responses are identifying potential issues. Getting a red flag does not necessarily indicate a problem, but it does mean that your assessment is highlighting issues or gaps in data that may require further investigation or action.

If there is insufficient space to answer a question, please use a separate sheet.

General information		
1	Name of strategy, policy, project, contract or decision.	Local Council Tax Support (LCTS) Scheme – 2020/21
2	What is the overall purpose of the strategy, policy, project, contract or decision?	To set the proposals for the 2020/21 scheme I. Set the contribution rate for working age unemployed and low income claimants at 12.5% II. Continue to protect pensioners and the vulnerable and disabled
3	Who may be affected by the strategy, policy, project, contract or decision?	<input checked="" type="checkbox"/> Residents <input type="checkbox"/> Staff

Appendix B

4	Directorate.	Adrian Webb, Director of Finance and Corporate Services																				
5	Are other departments or partners involved in delivery of the strategy, policy, project, contract or decision?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes																				
Gathering performance data																						
6	Do you (or do you intend to) collect this monitoring data in relation to any of the following <u>diverse groups</u> ?	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Age</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Disability</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Sex</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Race</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Gender Reassignment</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Sexual Orientation</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Religion & Belief</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Pregnancy and Maternity</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Marriage and Civil Partnerships</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Rural Isolation</td> </tr> </table>	<input checked="" type="checkbox"/>	Age	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Sex	<input checked="" type="checkbox"/>	Race	<input checked="" type="checkbox"/>	Gender Reassignment	<input checked="" type="checkbox"/>	Sexual Orientation	<input checked="" type="checkbox"/>	Religion & Belief	<input checked="" type="checkbox"/>	Pregnancy and Maternity	<input checked="" type="checkbox"/>	Marriage and Civil Partnerships	<input checked="" type="checkbox"/>	Rural Isolation
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<input checked="" type="checkbox"/>	Marriage and Civil Partnerships	<input checked="" type="checkbox"/>	Rural Isolation																			

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7	How do you (or how do you intend to) monitor the impact of the strategy, policy, project, contract or decision?	<input checked="" type="checkbox"/> Performance indicators or targets <input type="checkbox"/> User satisfaction <input type="checkbox"/> Uptake <input checked="" type="checkbox"/> Consultation or involvement <input type="checkbox"/> Workforce monitoring data <input checked="" type="checkbox"/> Complaints <input type="checkbox"/> External verification <input checked="" type="checkbox"/> Eligibility criteria <input type="checkbox"/> Other (please state): <input type="checkbox"/> None 
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Analysing performance data									
8	<p>Consider the impact the strategy, policy, project, contract or decision has already achieved, measured by the monitoring data you collect. Is the same impact being achieved for diverse groups as is being achieved across the population or workforce as a whole?</p>								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40px; text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes *</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>No*</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Insufficient </td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Not applicable </td> </tr> </table> <p><i>Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p> <p>No specific groups are referred to in the document and none of the information within it will have a differential impact on any group.</p>		<input checked="" type="checkbox"/>	Yes *	<input type="checkbox"/>	No*	<input type="checkbox"/>	Insufficient	<input type="checkbox"/>	Not applicable
<input checked="" type="checkbox"/>	Yes *								
<input type="checkbox"/>	No*								
<input type="checkbox"/>	Insufficient								
<input type="checkbox"/>	Not applicable								
9	<p>Is uptake of any services, benefits or opportunities associated with the strategy, policy, project, contract or decision generally representative of <u>diverse groups</u>?</p>								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40px; text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes *</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>No*</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Insufficient </td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Not applicable </td> </tr> </table> <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified:</i></p> <p>No specific groups are referred to in the document and none of the information within it will have a differential impact on any group.</p>		<input checked="" type="checkbox"/>	Yes *	<input type="checkbox"/>	No*	<input type="checkbox"/>	Insufficient	<input type="checkbox"/>	Not applicable
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<input type="checkbox"/>	No*								
<input type="checkbox"/>	Insufficient								
<input type="checkbox"/>	Not applicable								
Checking delivery arrangements									
10	<p>You now need to check the accessibility of your delivery arrangements against the requirements below. Click on the hyperlinks for more detailed guidance about the minimum criteria you should meet.</p> <p><i>If assessing a proposed strategy, policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.</i></p> <p style="text-align: right;"> Yes No N/A </p> <p>The premises for delivery are accessible to all.</p> <table style="width: 100%; text-align: right; margin-top: 10px;"> <tr> <td style="width: 30%;"><input checked="" type="checkbox"/></td> <td style="width: 30%;"><input type="checkbox"/></td> <td style="width: 30%;"><input type="checkbox"/></td> </tr> </table>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

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[Consultation](#) mechanisms are inclusive of all.

[Participation](#) mechanisms are inclusive of all.

If you answered 'No' to any of the questions above please explain why giving details of any legal justification.

Checking information and communication arrangements																					
11	<p>You now need to check the accessibility of your information and communication arrangements against the requirements below. Click on the hyperlink for more detailed guidance about the minimum criteria you should meet.</p> <p><i>If assessing a proposed strategy policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.</i></p> <table border="0" style="width: 100%;"> <tr> <td></td> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No </td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Customer contact mechanisms are accessible to all.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Electronic, web-based and paper information is accessible to all.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Publicity campaigns are inclusive of all.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Images and text in documentation are representative and inclusive of all.</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>If you answered 'No' to any of the questions above please explain why, giving details of any legal justification.</p>		Yes	No	N/A	Customer contact mechanisms are accessible to all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Electronic, web-based and paper information is accessible to all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Publicity campaigns are inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Images and text in documentation are representative and inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Images and text in documentation are representative and inclusive of all.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																		
Future Impact																					
12	<p>Think about what your strategy, policy, project, contract or decision is aiming to achieve over the long term and the ways in which it will seek to do this. This is your opportunity to take a step back and consider the practical implementation of your strategy, policy, project, contract or decision in the future. As well as checking that people from diverse groups will not be inadvertently excluded from or disadvantaged by any proposed activities, it is also an opportunity to think about how you can maximize your impact, reach as many people as possible and really make a difference to the lives of everyone in Uttlesford regardless of their background or circumstances.</p> <p>Is it likely to inadvertently exclude or disadvantage any diverse groups?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes * </p> <p><input type="checkbox"/> Insufficient evidence </p> <p>*Please state any potential issues identified.</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>																				
Improvement actions																					
13	<p>If your assessment has highlighted any potential issues or red flags, can these be easily addressed?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No* </p> <p><input checked="" type="checkbox"/> Not applicable</p>																				

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		<i>*If Yes, please describe your proposed action/s, intended impact, monitoring arrangements implementation date and lead officer:</i>
Making a judgement – conclusions and next steps		
14	<p>Following this fast-track assessment, please confirm the following:</p> <p><input checked="" type="checkbox"/> There are no inequalities identified that cannot be easily addressed or legally justified</p> <p><input type="checkbox"/> There is insufficient evidence to make a robust judgement.</p> <p><input type="checkbox"/> Inequalities have been identified which cannot be easily addressed.</p>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p>No further action required. Complete this form and implement any actions you identified in Q13 above</p> <p>Additional evidence gathering required (go to Q17 on Page 7 below).</p> <p>Action planning required (go to Q18 on Page 8 below).</p>
15	If you have any additional comments to make, please include here.	<input checked="" type="checkbox"/> None
Completion		
16	Name and job title	Angela Knight Assistant Director, Resources
	Name/s of any assisting officers and people consulted during assessment:	CMT, Cabinet Members, Local residents, all preceptors (including Town and Parish Councils) all consulted
	Date:	16 December 2019
	Date of next review:	December 2020
	<i>For new strategies, policies, projects, contracts or decisions this should be one year from implementation.</i>	

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Agenda Item 9

Committee: Council

Date:

Title: Commercial Strategy

16 December 2019

Portfolio Holder: Cllr Lodge,
Leader of the Council

Summary

- 1) At the Council meeting on 8 October Members approved the Commercial Strategy but requested an updated version be brought to the next meeting.

Recommendations

- 2) Council is recommended to approve the revised Commercial Strategy

Financial Implications

- 3) No direct implications from the adoption of this strategy

Background Papers

- 4) Report to the Investment Board

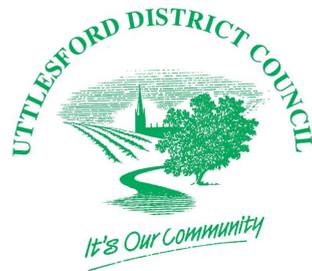
Impact

Communication/Consultation	None
Community Safety	No specific implications
Equalities	None
Health and Safety	No specific implications
Human Rights/Legal Implications	No specific implications
Sustainability	No specific implications
Ward-specific impacts	No specific implications
Workforce/Workplace	None

Background

- 5) On 8 October Council adopted the Commercial Strategy but requested a revised version be brought to the next Council meeting, following further consideration by the Investment Board.
- 6) On the 25 November the Investment Board considered the report and made alterations to the following

- a) Paragraphs 3 – 5, reflecting the purpose of the investments
 - b) Paragraphs 16 – 20, setting out the legal framework in which local authority investments are made
 - c) Paragraph 32, clarification that an investment risk register will be maintained and monitored by the Investment Board
 - d) Paragraph 39(b) – reworded for clarity
- 7) The Strategy will be revised as part of the 2020/21 budget setting process.



Uttlesford District Council

Commercial Strategy 2019 to 2023



Prepared by:
Asset Management
Uttlesford District Council
November 2019

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Introduction

1. The Council recognises that as a consequence of reducing government funding there is an increased requirement to generate additional income to underpin the core services provided by the Council to its residents. Traditional ways of generating additional income such as through Council Tax and fees and charges will not be able to absorb the reduction in government funding. By way of illustration, a 1% rise in Council Tax is equivalent to about £55,000 in additional income.
2. This document replaces the Commercial Strategy 2019 to 2023 as approved by Full Council on 8 October 2019

Purpose of the Investments

3. To provide a long term income for the council to support the provision of Council services. This income requirement has arisen as a result of reductions in the Council's finance from central government. Government also restricts the ability of councils to raise income from council tax increases.
4. The Council seeks to operate in the most cost effective ways and will look for improvements in its operations which will reduce costs or avoid increased costs. However the scale of reduction in external finance is such that other income sources must be found. Reductions in council services are considered a last resort.
5. The income target for the Board will be guided by the Medium Term Financial Strategy (MTFS). The MTFS forecasts the income and expenditure over a four year period and includes all known factors. It shows the predicted annual net surpluses or deficits. The investment income is sought to cover the forecast significant deficits in each of the years of the MTFS, so as to ensure that existing services can continue to be provided.

Current Portfolio

6. In May 2017 the Council, through its wholly owned subsidiary Aspire (CRP) Ltd, acquired a 50% share in Chesterford Research Park and formed a joint venture with Aviva Investors. As part of the Cambridge Life Science cluster the Park is world renowned, having been in existence for 19 years, with available space to significantly increase the commercial floor space, plus expand the Park into other areas of research to diversify and reduce the risk.

7. The Council gave a loan to Aspire (CRP) Ltd for the purchase of 50% of Chesterford Research Park (£47.25m). The loan was funded by

- Phoenix Life – borrowing of £37m for 40 years on a repayment basis @ 2.86% fixed. The first £10m drawdown was 5 July 2017 with the remainder as follows

5 July 2020 - £12m

5 July 2021 - £15m

Whilst this loan is being drawn down the balance will be funded by a mix of local authority and internal borrowing – The amount of each varies during the year dependant on the level of UDC balances available. Average interest rate, interest only, is 0.7%

- Use of reserves and balances (£10.25m) funds the balance.
8. For 2019/20 the income from Chesterford Research Park is expected to be £2,130,000 with the cost of borrowing being £400,000. There is also repayment of staff time.

Loans to wholly owned subsidiaries

9. The Council recognises that, to further support the budget ongoing and to ensure the continued delivery of services at the level currently provided, further investment in the expansion of Chesterford Research Park will be necessary. The first set of additional loans relate to the refurbishment of the Newnham Building. To date, the following loans to Aspire (CRP) Ltd have been made

Date	Amount	Term	Rate	Basis	Annual Repayment	Building	Repaid
03/05/2017	£47,250,000	50 years	4%	Interest Only	£1,890,000.00		
27/06/2017	£60,000	10 months	4%	Interest and principal	£61,827.95		✓
26/03/2018	£223,000	49 years 1 months	4%	Interest only	£8,920.00	Newnham	
02/01/2019	£2,518,000	48 years 4 months	4%	Interest only	£100,720.00	Newnham	
20/08/2019	£3,000,000	20 years	4.5%	Interest and principal	£230,630.00	Newnham	

10. In addition there is approval for a further loan of £1.25m for the fit-out of the Newnham Building on an interest and principal basis over 20 years at an interest rate of 4.5%. This will be drawn down during the latter part of 2019/20 as the Newnham Building refit progresses.

The future

11. The Council is committed to investing in the Park. The Council is keen to see existing tenants expand and grow on the Park and for the Park to attract new tenants from a diverse range of research activities. The Park is within the district boundary and investing helps to sustain existing employment, introduce new employment opportunities and generate additional Business Rates. As part of the 2019/20 Investment Strategy, approved by Full Council in February 2019, an in principle agreement to invest up to £20million at the Park over the next three years was approved.
12. Full Council in February 2019 also agreed an in principle sum of £80million for investments outside of CRP. This sum will, in the main, be invested out of area to offset risks of investing in a small geographical area. To minimise risk to the investment the Council will, in the main, concentrate on areas with above average;
 - Population growth projections
 - Employment growth projections
 - Gross Domestic Product (GDP) growth projections
13. The Investment Portfolio may include a mix of
 - Multi-let urban industrial
 - Offices in dynamic cities
 - Single-let long lease
 - Convenience retail
 - Market rent housing
14. The portfolio will also have a mix of lease lengths again to provide a balance.
15. Evaluation of potential opportunities will be made using a RAG based approach on criteria agreed by the Investment Board.

Borrowing, the Prudential Code and Statutory Guidance on Local Government Investments

16. The Council can rely on a variety of statutory powers to borrow and invest. Where the primary purpose of borrowing and investment is to secure a financial return, the Council has powers under sections 1 and 12, Local Government Act 2003. Section 1 provides that:

A local authority may borrow money—

- (a) for any purpose relevant to its functions under any enactment, or*
- (b) for the purposes of the prudent management of its financial affairs.*

Section 12 states:

A local authority may invest—

(a) for any purpose relevant to its functions under any enactment, or

(b) for the purposes of the prudent management of its financial affairs.

17. Where the Council proposes to rely on the borrowing powers in Local Government Act 2003 section 15 of the Act makes it a requirement to “have regard –

(a) to such guidance as the Secretary of State may issue, and

(b) to such other guidance as the Secretary of State may by regulations specify for the purposes of this provision.”

The current guidance to which the Council must have regard is:

- Statutory Guidance on Local Government Investments (3rd Edition) issued by the Secretary of State; and
- The Prudential Code issued by CIPFA.

18. The Statutory Guidance contains two paragraphs on what is termed “borrowing in advance of need. The guidance states:

46. 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.

47. Where a local authority chooses to disregard the Prudential Code and this Guidance and borrows or has borrowed purely to profit from the investment of the extra sums borrowed the Strategy should explain:

• Why the local authority has decided not to have regard to this Guidance or to the Prudential Code in this instance; and

• The local authority’s policies in investing the money borrowed, including management of the risks, for example, of not achieving the desired profit or borrowing costs increasing.

19. The Council will adopt a “case by case” approach in considering whether to depart from the Statutory Guidance and the Prudential Code where the primary purpose of borrowing is to “profit from the investment of the extra sums borrowed”. In reaching a decision, the Council will balance the need to generate additional income to

underpin core services to Uttlesford residents against the risks involved in taking on the borrowing and against the risks involved in the investment to be funded by borrowing. It will ensure that investments funded by borrowing in these circumstances are proportionate to the need to make good shortfalls caused by the reduction in Government funding. Given the Council's acute funding shortfall and the likely consequences for Uttlesford residents of not being able to maintain core services without additional funding, the Council is likely to depart from the Statutory Guidance and from the Prudential Code where sound investment opportunities are identified.

20. The Council will set out for each investment the risks associated with the investment, be they specific or industry/sector. These will be monitored on a regular basis by the Investment Board, and where necessary recommendations will be made to the Cabinet. The Council maintains a Medium Term Financial Strategy Reserve which is retained for use in the event of a significant drop in revenue income from an investment.

Key Performance Indicators (KPIs)

21. A suite of KPIs will be developed by the Investment Board for reporting by the Aspire companies on a quarterly basis. These KPIs will be used, as part of suite of information, to inform future investments and disposals and therefore the make-up of the portfolio

Investment Protocol

22. An Investment Protocol will be developed alongside this strategy which sets out the criteria in detail.

Security, Liquidity and Yield

23. As the Council only has a small amount of money of its own to invest, any further expansion of the commercial strategy will necessarily be funded from a mix of external borrowing, from financial institutions, Public Works Loan Board (PWLB) and other local authorities. The Council will not invest in high yield, high risk opportunities. This will be reflected in yield expectations which are currently 3 – 7%.
24. Investments at Chesterford Research Park will be made by way of loans to Aspire (CRP) Ltd the Council's wholly owned subsidiary. All commercial investments outside of CRP will be undertaken by the Council. Property purchase for letting at market rents will be undertaken through a new wholly owned subsidiary company Aspire (UDC) Ltd.

25. By investing mainly, but not exclusively, in areas of above average population growth, employment growth and GDP growth the risk to the Council investment will be reduced.
26. Financing of acquisitions will be decided on a case by case basis. In almost all cases a mix of repayment and interest only loans will be undertaken, with the split being agreed by Cabinet.
27. The option to liquidate funds is either by selling the investment (or part thereof) or by refinancing the debt.

Risks

28. Each investment must be considered independently and only those viewed as having a positive expected yield and an acceptable risk profile will be taken forward for consideration by the Council.
29. The Council takes advice from its professional advisers at all times. For example, with the purchase of the 50% share at Chesterford Research Park the Council engaged
 - Arlingclose as its financial advisers who project managed the funding tender
 - Cushman and Wakefield who undertook all of the purchase negotiations and due diligence
 - Hogan Lovells for Legal due diligence
30. For Aspire (CRP) Ltd the Council has appointed two non-executive directors to serve on the Board and bring independent challenge and support. The new delivery company, Aspire (UDC) Ltd, will also have two non-executive directors on the Board.
31. The Aspire companies will use a range of specialists which will vary between investments. This will ensure the continued professionalism and sector knowledge.
32. A risk register will be maintained for each investment and these will be monitored by the Investment Board on a regular basis. The risk register will be based on the corporate standard used by the Governance, Audit and Performance Committee.

Proportionality

33. The aim of the Commercial Strategy is to generate income to underpin the Council's core budget, to invest in other income generating opportunities and also good causes for the district.

34. The Council's main investment at Chesterford Research Park comprises eleven core buildings and circa twenty tenants. For the income to be below the interest repayment amount three of the five largest tenants would be required to default on their tenancy agreement at the same time. Even with this relatively low risk it is important to attract different types of research business to the Park.

Capacity, Skills and Culture

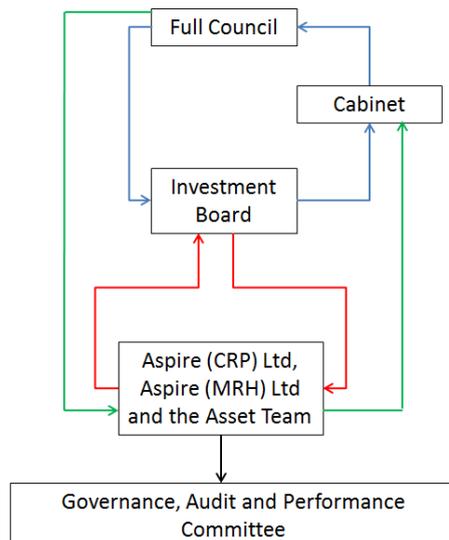
Investment Board (IB)

35. The IB will operate in accordance with the Commercial Strategy which is adopted annually by Full Council. Cabinet will delegate to the Leader; Portfolio Holder for Finance and Budget and the S151 Officer (or Assistant Director of Resources for Aspire investments) to conclude investments where authorisation has been given by Full Council.

36. Constitution of the IB

- a) The IB is a Working Group of Cabinet and membership will be determined by the Leader of the Council
- b) In addition there will be two independent members to supplement the skills of the elected Members.

37. The investment decision making and monitoring process is as set out overleaf



38. Democratic Process (blue line)

- a) As part of the annual budget setting process, Cabinet develops the Commercial Strategy in consultation with the IB. Cabinet recommends to Council the adoption of the Commercial Strategy.
- b) Council adopts the Commercial Strategy.
- c) The IB develops a protocol to implement the Commercial Strategy which will be approved by Cabinet.
- d) The Cabinet will receive from the IB quarterly updates, including KPIs, on the performance of the portfolio.
- e) For new investments, the IB reviews the business cases and if appropriate supports a recommendation to Cabinet for the acquisition.
- f) Cabinet reviews the investment and if satisfied recommends to Council that funding is made available. Given that the IB will be constituted by members with a knowledge of commercial investment, supplemented with external training as necessary, and supported by industry expert independent people, it is acknowledged that Cabinet will not, without good reason duly considered, reject opportunities presented by officers that are supported by the IB.
- g) Ahead of the Council meeting, the IB Chairman, along with officers, undertakes an all-Member briefing session to set out the investment and the reasons for its recommendation.

39. Internal Process (red line)

- a) The IB provides the two Aspire companies with a Commercial Protocol and sets out in detail the type of new investments it is seeking. Aspire (CRP) Ltd looks after developments at Chesterford Research Park, whilst Aspire (MRH) Ltd is responsible for residential housing to be let at market rents. The Council's Asset Team will manage all other non-CRP commercial investments.
- b) Depending on the category of investment sought, Aspire (MRH) Ltd, Aspire (CRP) Ltd or the Asset Team, working with professional advisors, will identify investments which meet the protocol set out by the IB. They will prepare investment business cases for consideration by the IB. The IB will review and consider the cases in detail and if suitable will make the recommendation to the Cabinet to proceed. Approval by the Boards of the Aspire companies is also required prior to submission to the IB.
- c) The Aspire companies, along with the Asset Team, prepare the quarterly KPI and other information for submission to the IB.

40. New Investments (green line)

- a) At an Extraordinary Meeting of Council a decision is taken on whether or not to allocate the funding.
- b) If the investment is agreed, funding will be made available to the relevant Aspire company or to the Asset Team to enable the purchase to be made.
- c) The Aspire companies report annually to the Cabinet as the shareholder board of the Council.

41. Governance, Audit and Performance Committee (GAP) (black line)

- a) A report on annual performance of the Aspire companies is taken to the GAP Committee. A similar report will be presented by the Asset Team.

Joint Working

- 42.** The Council recognises the benefits of working with other parties, be they local authorities or private sector. Joint Working mitigates risk and has the potential to enable the Council to consider new commercialisation opportunities in markets that alone they would not be able to do so.

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Climate Change Motion for Council: 16 December 2019

On 30 July 2019 this Council resolved to declare a Climate and Ecological Emergency, acting now to prevent a climate and ecological catastrophe that will greatly impact our children, grandchildren and future generations. Following this, an Energy and Climate Change Working Group has been established to produce “a bold plan of action that is realistic, measurable and deliverable”.

The huge scale of the climate and ecological emergency is becoming ever clearer, as is the need for urgent, bold, ambitious and decisive action.

This Council now resolves:

1. To call on the Cabinet and Climate Change Working Group to develop an Environmental Road Map for approval by Council on February 25, 2020. This Environmental Road Map will have clearly defined actions, deliverables, timelines and costings with definitive, timed and measurable milestones and targets to be met by December 2020 and annually thereafter until April 2023.

2. To ask the Cabinet to include in its budget recommendations for 2020/21 substantial budget provision for the development and implementation of the Council’s Energy and Climate Change Strategy and to deliver the Environmental Road Map initial priority actions during the year.

3. That the Environmental Road Map will include at least, but will not be limited to the following priorities:

- **Tree planting across the district**
In partnership with local community and environmental organisations, county, parish councils and other landowners to
 - Plant a tree per resident in the next year and 10,000 a year after that
 - Provide a tree for life for every expectant family in Uttlesford
 - Develop planning policy to require one tree per bedroom to be planted for each new build property in the district, with at least two trees planted to replace any tree which cannot be preserved and is felled.

- **Bees and other pollinators**
 - Map and protect their habitats and create new ones

- Adjust the Council’s grass-cutting schedule to encourage the establishment of wild flower meadows on public green spaces and verges
- Establish bee hotels and green walls on Council buildings and incentivise residents to set up bee hotels
- Plant bee friendly trees and plants and work with residents to encourage planting
- Stop using insecticides and herbicides on all Council owned and managed land and encourage residents and local farmers to do the same

- **Hedgehogs and habitats**
 - Create at least six wilding sanctuaries and corridors and preserve existing ones

- **Electric car charging points**
 - Install a minimum of 55 points in the next 12 months and 250 by 2023 within a clear strategy to encourage growth of electric vehicles
 - Develop planning policies to facilitate installation of charging points for new houses
 - Install charging points at Council-owned properties
 - Change the Council’s fleet to electric vehicles by the end of 2023

- **Renewable energy**
 - Install solar panels on all council buildings and include sustainable energy sources in its property investments
 - Ensure that the new Waste Management Depot at Great Dunmow is designed to be an exemplar of new green technologies
 - Establish a solar farm to offset the Council’s energy use
 - Ensure that any future Garden Settlements are carbon negative through the creation of local wind and solar power generation
 - Undertake an annual energy audit on usage and sustainability of the District Council’s estate
 - Develop planning policies to require all new builds, including the Council’s own developments to have sources of renewable energy fitted and to comply with ‘Passivhaus’ or similar standards of energy efficiency

- **Reduction of single use plastics**
 - End the use of single-use plastics in Uttlesford by 2023 and increase recycling

- Provide water fountains in towns and villages
- Establish a 'Chairman's Charter', similar to the Saffron Walden 'Mayor's Charter' to encourage businesses, community groups, schools and residents to commit to undertake specific actions to reduce or discourage the use of plastics
- Set up an online forum to provide information on the reduction of plastic use

Signatories:

- **Cllr Light**
- **Cllr Dean**
- **Cllr Fairhurst**
- **Cllr Caton**
- **Cllr Gerard**
- **Cllr Khan**
- **Cllr Loughlin**
- **Cllr Criscione**

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North Essex Economic Strategy Motion for Council: 16 December

This Council notes the North Essex Economic Strategy (NEES), but requests Cabinet to pause further work on the NEES pending detailed further clarification of;

- a. the economic benefits that the NEES will bring to Uttlesford.
- b. the role of Uttlesford within this strategy given our proximity to Cambridge and the knowledge based economy centred there.
- c. the opportunities for deeper cooperation and coordination with the local authorities, including the Mayoralty, of the Cambridge sub region.

Signatories:

- Cllr Gregory
- Cllr Pavitt
- Cllr Light

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