

COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 25 FEBRUARY 2020 at 7.30 pm

Present: Councillor R Freeman (Chair)
Councillors A Armstrong, S Barker, 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, 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, G Sell, A Storah, M Sutton, M Tayler and J De Vries

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

C61 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Asker, Bagnall, Jones and Reeve.

C62 MINUTES OF THE PREVIOUS MEETING

The minutes were signed as an accurate record by the Chair, subject to noting Councillor Sell's apologies at the previous meeting.

Councillor Light said the final paragraph on page 12 was an inaccurate version of events.

The Chair said the matter was under investigation and there would be no further discussion until the issue had been resolved.

C63 CHAIRMAN'S ANNOUNCEMENTS

The Chair said a summary of his engagements could be found on the website.

The Chair said he had received correspondence since the previous meeting taking issue with a comment he had made regarding the significant contribution volcanoes made to global warming. He said he stood corrected as recent evidence suggested that at most only 2% of global CO2 emissions were attributed to volcanic activity. He was delighted that this was the case as human behaviour could be modified to reduce CO2 emissions, that of volcanoes less so. He thanked those that had provided him with this information and asked for it to be put on record that anthropogenic carbon was the primary cause of climate change.

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

The Chair said he would amalgamate Items 4 and 5 as a request had been received to extend question time. He said it was a busy agenda but he would allow 30 minutes in total for questions to the Executive.

The Leader highlighted the executive reports that had been included with the agenda papers, as well as circulated with the Members' Bulletin. He said Executive members would report to Council as necessary and this practice would continue in future.

The Leader provided an update on the status of the Local Plan. The Inspectors' letter had left Members with a very difficult decision to make as to whether to continue with the emerging Local Plan, considered to be flawed by the Inspectors, or to withdraw it altogether. He said there were pros and cons to both options and Members would have an opportunity to consider these at the extraordinary Council meeting on 31 March. He added that expert guidance had been sought and Local Government Association (LGA) advisors had been contracted to assist Members in reaching a decision. He added that he had written to all councillors, and all town and parish councils, to ensure that the relevant stakeholders were involved in this 'early decision' to either continue or withdraw the emerging Local Plan. Terms of reference for the programme would be circulated with all councillors as soon as they had been finalised. He said he wanted to ensure that the process was inclusive and that the best possible decision was reached.

Councillor Tayler said he hoped meetings and briefings were not cancelled at short notice, as they had been during the week, and that all members would be truly engaged in the process. He said it was very difficult for those members that were employed to clear their diaries and asked that schedules were kept to in future.

The Leader said current engagement levels were far higher than under previous Administrations. He said it would have been premature to have held a briefing session this week and due to the fluidity of the situation Members had been asked to hold a number of dates that were subject to change.

In response to a question from Councillor Dean, the Leader said there were no plans to engage with the Town and Country Planning Association (TCPA) as garden communities were currently "off the table".

Councillor Dean said the Inspectors' letter lacked clarity in regard to whether the Plan was undeliverable due to technical reasons. He asked whether the Leader would seek a clear answer from the Inspectors regarding the deliverability of the emerging Local Plan.

The Leader said there was no mechanism to communicate with Inspectors. Councillor Storah concurred and said it was now up to the Council how it

responded to the Inspectors' letter, either by revising the emerging Local Plan or withdrawing it altogether.

In response to three questions asked by Councillor Barker, Members were informed that a recorded vote would be held on the budget; that the £750,000 grant relating to development of garden communities would not be returned; and that the air space consultation surrounding Stansted Airport could not be included in the Corporate Plan as it had already been drafted and was being considered at tonight's meeting.

Councillor Sell asked for clarity surrounding the Administration's approach to garden communities. He said there were discrepancies between what was being said tonight, and previous comments that alluded to a commitment to these types of settlements. He asked if garden communities had a future in Uttlesford.

The Leader said progress had been halted on the current emerging Plan and therefore "everything was off the table, and everything was on the table."

The Chief Executive said that whilst the Plan had not been formally withdrawn, all options were being considered.

Councillor Foley said that the Council had to re-evaluate its position and would look again at all options. Garden Communities had not been accepted by the Inspectors so Members had to keep their minds open.

C64 FELSTED NEIGHBOURHOOD PLAN

The Chair brought Item 12 forward in proceedings for the benefit of the members of the public who were present.

Councillor Evans presented the report relating to Felsted's Neighbourhood Plan. He said this was only the third neighbourhood plan in the District to come before Council although five more neighbourhood plans were in development. He added that neighbourhood plans protected communities from opportunistic development, whilst ensuring desired developments took place in the interest of the local community affected. He proposed making the Plan part of the statutory development plan for the District.

Councillor Gerard seconded the proposal and commended the hard work of the local team who had put the plan together. He said Newport had a Neighbourhood Plan but the challenge they faced was a lack of a three-year land supply. He urged Members to support the proposal.

Councillor Coote said help and guidance should be provided to smaller villages and parishes who would find it difficult to facilitate the neighbourhood planning process.

Councillor Evans said financial support was available for communities who wished to make neighbourhood plans but lacked the technical expertise and needed assistance with the process.

Councillors Criscione, Dean, Hargreaves and Foley congratulated Felsted's Neighbourhood Plan team and expressed support for the proposal. Councillor Hargreaves said neighbourhood plans were consistent with the adopted Local Plan (2005) and therefore did carry material weight.

RESOLVED that the Felsted Neighbourhood Plan be formally 'made' part of the statutory development plan for the District.

C65 **PROPOSALS FOR MEMBERS' SCHEME OF ALLOWANCES 2020/21**

The Chair brought Item 8 forward in proceedings for the benefit of the Independent Remuneration Panel (IRP) members who were present.

Stephanie Grace, the Chair of the IRP, presented the report outlining the proposals for the Members' Scheme of Allowances 2020-21.

Ms Grace said she had been involved with the work of the IRP for four years and her term had coincided with austerity measures implemented across the public sector. She said frugality was often at the forefront of the Panel's discussions when considering the scheme of allowances and therefore the Panel had agreed a 1% uplift to the basic allowance. The Panel were mindful of the LGA's 2018-19 census when making their deliberations, as well as comparing the allowance to that of similar and neighbouring authorities. She said the next review would occur during the summer and the IRP would like to explore the relationship between the allowance and attracting potential councillors to civic life. The Panel would also review Special Responsibility Allowances (SRAs), particularly that of Cabinet Members and of Group Leaders.

The Leader thanked the Panel and proposed the recommendation set out in the report.

Councillor Dean seconded the proposal.

Councillor Tayler asked the IRP to consider the remuneration on offer to those members still in employment during the next review.

RESOLVED to adopt the recommended scheme of allowances for the year 2020/21 as set out in Appendix 1 to the report, effectively increasing the current level of basic allowance and all existing special responsibility allowances (SRAs) by 1%.

C66 **DRAFT CORPORATE PLAN 2020 - 2024**

Councillor Barker declared a non-pecuniary interest as member of Essex County Council.

The Leader presented the report on the draft Corporate Plan. He said the Administration had put much work into the Plan and had taken on board the constructive comments of the Scrutiny Committee, which had considered the draft Plan on two occasions. He said the Corporate Plan Delivery Plan would be made available at the end of March 2020.

The Leader proposed to adopt the Draft Corporate Plan for 2020-24. This was seconded by Councillor Coote.

Councillor Dean, who had provided notice of an amendment to the proposal, said the draft before members was nothing more than a wish list that did not stipulate how and when its objectives would be delivered. He said it was imperative that the Delivery Plan was available at the point of Council approving the Budget. The amendment was proposed as follows:

Council is resolved:

- 1. To approve the draft Corporate Plan for 2020-24, containing the Council's vision and priorities.*
- 2. To welcome the proposed extension of the joint district/parish scheme for recruiting Police Community Support Officers to Great Dunmow, in addition to existing PCSOs services for Saffron Walden and for Stansted/Elsenham/Henham. Council also welcomes new, outline initiatives in the Corporate Plan to tackle the Climate Emergency.*
- 3. To note that the Delivery Plan for the Corporate Plan will not be available prior to agreement of the 2020/21 budget. The Council requests that Members and the public be made aware by the Administration of what will be delivered and by when before any future annual budget is confirmed.*

Councillor Caton seconded the amendment.

Councillor Day said the Corporate Plan's purpose was to set out the Council's direction in broad terms. He said the delivery stage of the strategy would provide the detail that Councillor Dean was requesting.

Councillor Light agreed and said whilst it would take time to implement the Corporate Plan, a delivery plan should be attached to the budget. She added that there had been no consultation with residents and that the budget should be deferred.

Councillor Sell said it was not good enough to say political campaigning or canvassing constituted an adequate consultation process. He said Residents for Uttlesford (R4U) group had not canvassed significantly in Stansted so it could not be said that its residents had been consulted.

Councillor Driscoll said he had canvassed opinion in Birchanger and Stansted in the form of Ward meetings and question and answer sessions as an R4U member.

The Chief Executive said the item could not be formally deferred but under Rule 12.10 of the Constitution the debate could be adjourned to a later date.

Councillor Light proposed to adjourn the debate until the Delivery Plan was available. Councillor Fairhurst seconded the motion.

In response to a question from Youth Councillor Widuch, Councillor Lees said young people had not been specifically consulted on the Corporate Plan, but it would be something the Administration would look at in the future.

The Chair moved to a vote to adjourn the debate. The proposal was defeated and Council returned to discussing the amendment tabled by Councillor Dean.

The Leader said he took issue with the “political posturing” of point three of the amendment. He said his intention was to release the Delivery Plan by 25 March 2020.

Councillor Caton said he regretted that political games were being played as the amendment had been put forward in good faith. He questioned the political motivation behind the amendment to the amendment, which had been tabled by the Leader.

The Chair called a vote on Councillor Dean’s amendment. The amendment was defeated.

The Leader proposed a further amendment. It read as follows:

- 1. To approve the draft Corporate Plan for 2020-24, containing the Council’s vision and priorities.*
- 2. To welcome the proposed extension of the joint district/parish scheme for recruiting Police Community Support Officers to Great Dunmow, in addition to existing PCSOs services for Saffron Walden and for Stansted/Elsenham/Henham. Council also welcomes new, outline initiatives in the Corporate Plan to tackle the Climate Emergency.*
- 3. To note that the Delivery Plan for the Corporate Plan will be available on 25th March.*

Councillor Armstrong seconded the amendment.

In response to member questions, the Leader said the Delivery plan would include costings and would be available for Scrutiny’s consideration.

Councillor Dean asked for it to be recorded that the majority group were happy to sign the Administration a “blank cheque” and he would be abstaining from the vote. He added that by removing the third point of his amendment the Administration had demonstrated that it was not committed to improving practice.

Councillor Driscoll asked the Chair to move to a vote as there had been too much political point scoring on show.

The Chair called a vote on the Leader's amendment. The amendment was carried.

The Chief Executive read the substantive motion for the benefit of Council.

Councillor Gregory said the Corporate Plan had been considered by Scrutiny a number of times and robust scrutiny would also be given to the Delivery Plan.

The Chair moved to a vote on the substantive motion.

RESOLVED:

1. To approve the draft Corporate Plan for 2020-24, containing the Council's vision and priorities.
2. To welcome the proposed extension of the joint district/parish scheme for recruiting Police Community Support Officers to Great Dunmow, in addition to existing PCSOs services for Saffron Walden and for Stansted/Elsenham/Henham. Council also welcomes new, outline initiatives in the Corporate Plan to tackle the Climate Emergency.
3. To note that the Delivery Plan for the Corporate Plan will be available on 25th March.

C67

MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PROPOSALS 2020/21

Councillor Hargreaves presented the report on the Medium Term Financial Strategy and Budget proposals for 2020/21. He said he had received no questions in advance of the meeting and there would be a recorded vote on the Council Tax Resolution, as required by law.

Councillor Hargreaves outlined the key issues stated in the report, the supporting strategies were as follows:

- Medium Term Financial Strategy
- Reserves Strategy
- Treasury Management Strategy
- Commercial Strategy
- Capital Strategy

He highlighted the following in his report:

- Future years' allocations for the New Home Bonus would be based on legacy payments only, with no payments from 2023/24.
- Council Tax would be increased by £5 (per annum) in 2020/21 for a Band D property, with future years based on an uplift of 1.99%.
- The General Fund – 5 year summary was outlined and Members were informed that the Commercial Strategy 2020-

2024 would be key in addressing the deficit and maintaining the current level of council services.

- The Treasury Management Strategy 2020/21 outlined borrowing, investments and risks. The Strategy increased authorised borrowing and recommended suitable counterparties from whom the Council could borrow, to mitigate against risks.
- The Capital Strategy outlined capital expenditure and financing relating to assets that would be used for more than one year. For 2020/21, the Council was planning capital expenditure of £25million on General Fund projects (ICT development, asset maintenance and vehicle replacement), HRA (council housing) and Capital Investments. The Annual Minimum Revenue Provision statement, which stipulated the minimum provision the council was required to put to one side to repay debt in later years, stood at £4,212,000 for 2020/21.
- The creation of the Uttlesford Norse Group was not a cost saving exercise but rather to future proof the Council's maintenance service.
- The New Homes' Bonus scheme had received more money than originally budgeted.

Councillor Hargreaves thanked the Finance officers for their hard work in preparing the budget. He formally proposed the recommendations listed in the report.

Councillor Armstrong seconded the proposal.

Councillor Dean, who had given notice of an amendment to the recommendation relating to the Capital Strategy, Appendix F formally proposed the amendment as follows:

Council notes that in the Capital Strategy (page 103 and at Annexe F2 on page 119) the proposed capital expenditure on Council Housing in year 2021/22 and succeeding years will reduce from the current level.

Council is therefore resolved to:

- 1. approve the 5 year Capital Programme subject to raising the Portfolio Total in years 2022/23 and the following two years to £9,000,000 and that the increase be raised through sustainable borrowing to increase the delivery of much needed social housing in the district.*
- 2. amend Annexes F2 & F3 accordingly.*
- 3. recommend to the Portfolio Holder for Housing that the necessary internal capacity and external partnership arrangements are put in place as appropriate to achieve delivery of social housing on time during each year.*

The proposed amendment was seconded by Councillor Caton.

Councillor Dean said Central Government had lifted restrictions that prevented local authorities from borrowing to build council housing, although there was no reference in the budget to the building of council houses. He said his

amendment readdressed this and if the Council were to be ambitious, concrete proposals in the budget, not words, needed to be put in place.

Councillor Hargreaves said he was sympathetic to the purpose of the amendment but the amendment, in of itself, would achieve nothing. The real issue at hand related to a lack of land supply, not a lack of borrowing opportunities.

Councillor Foley said that the years of not building social housing had come to an end. He urged the Council to commit to an ambitious programme and said he would be supporting the amendment.

Councillor Lees said she was committed to council housing but the issue was about land supply, which the further amendment to the amendment acknowledged. She added that the Housing Revenue Account business plan would be renewed later this year.

Councillors, including Youth Councillor Widuch, spoke in support of council housing and social housing but there was disagreement as to the merits of the amendment.

The Chair moved to a vote on the amendment. The amendment was defeated.

The Leader had given notice of a further amendment as follows:

Council notes that in the Capital Strategy (page 103 and at Annexe F2 on page 119) the proposed capital expenditure on Council Housing in year 2021/22 and succeeding years will reduce from the current level.

Council is therefore resolved to:

- 1. approve the 5 year Capital Programme*
- 2. Note the administration's ambition to build significantly more social housing than the previous administration and look forward to an increase in the capital programme as suitable sites are secured. All councillors are urged to identify potential sites in their wards.*

The Leader said action was required to build council houses and that he was committed to building more social housing than the previous Administration.

Councillor Foley said he would support the amendment if there was a commitment to build 50% more social homes than the previous Administration.

Councillor Khan asked whether the Leader would make a commitment to the number of council houses that would be built.

Councillor Lees said she would commit to building 183 council houses over the next four years. She said the Administration would aspire to build more.

Councillor Light said there were over 1000 people on the council housing waiting list and the commitment to build 183 new units would not tackle this demand. She asked how this need would be met.

Councillor Lees said the commitment was only in relation to council housing, affordable housing units would also be sought from developer contributions.

The Chief Executive read the Leader's amendment to Appendix F – Capital Strategy. The Chair moved to a vote.

The amendment was carried.

Councillor Caton, who had given notice of an amendment to the recommendation in relation to Appendix H – General Fund and Council Tax, said he would withdraw the amendment if the Leader confirmed that the £65,000 that remained unallocated was used in support of addressing the climate change emergency.

The amendment was proposed as follows:

Council notes that paragraph 18 on page 141 identifies a £300,000 envelope for funding new priorities. Items totalling £235,000 are listed. £65,000 remains unallocated.

Council is resolved to:

- 1. approve the General Fund Council Tax requirement of £5,956,840*
- 2. approve the schedule of fees and charges as set out in Annexe H6*
- 3. call on Cabinet to use the remaining £65,000 as follows:*
 - a) £30,000 for the restoration of the Uttlesford Life magazine to support the Corporate Plan priority of Being a Council that listens to and acts for residents; in the immediate future to support communication about the Local Plan and the Climate Emergency.*
 - b) Raising the allocation in support of addressing the Climate Emergency by £35,000 to a new sum of £100,000.*

Councillor Sell seconded the amendment.

The Leader said he was not willing to be tied down on the budget as there was an aspiration to spend more than £65,000 if additional money was available. He said the Council were in a tight financial position due to the stranglehold of central government but, if forthcoming investment opportunities were successful, the Council would have more income to spend on climate change initiatives.

Councillor Pepper said she had been promised £100,000 to be put to one side for climate change measures. She said the Council would also look at creative ways to ensure as much funding as possible was dedicated to tackling climate change.

Councillor Caton said he was prepared to withdraw his amendment in light of Councillor Pepper's comments.

Councillor Hargreaves said whilst the Administration planned to do as much as it could in regard to climate change, the budget could not be amended at this late stage.

The Leader proposed the amendment to the amendment as follows:

Council notes that paragraph 18 on page 141 identifies a £300,000 envelope for funding new priorities. Items totalling £235,000 are listed. £65,000 remains unallocated.

Council is resolved to:

- 1. approve the General Fund Council Tax requirement of £5,956,840*
- 2. approve the schedule of fees and charges as set out in Annexe H6*
- 3. Raise the allocation in support of addressing the Climate Emergency to the maximum amount possible under funding restrictions imposed by central government and the previous UDC Administration.*

Councillor Lees seconded the amendment.

Youth Councillor Widuch said any measures brought in to tackle the climate emergency would be welcomed by the Youth Council.

Councillor Fairhurst said £65,000 would not go far in combating the climate change crisis and the Council could borrow to achieve more.

Councillor Hargreaves said borrowing money for purposes that would generate no income in return was unsustainable.

Councillor Sell said South Cambridgeshire had an ambitious programme to tackle climate change and he urged the Cabinet to secure as much funding as possible in this regard.

Councillor De Vries left the meeting at 10.45pm.

The Chief Executive read the Leader's amendment for the benefit of Council.

The Chair proceeded to a vote on the Leader's amendment. The amendment was carried.

In response to a question from Councillor Barker regarding the funding for the proposed Waste Depot project, Councillor Hargreaves said a written answer would be provided and circulated to all Members.

In response to a question from Councillor Criscione, Councillor Hargreaves said Air Quality equipment was not specifically included in the budget as it did not constitute capital equipment and was relatively inexpensive.

The Chief Executive explained the requirement to have a recorded vote on the Council Tax resolution and whether Members wished to take the budget recommendations en bloc, or individually.

Council gave its consent for the vote to be taken en bloc. The Chair read the budget proposals for the benefit of Council.

The recorded vote was as follows:

For	Against	Abstain
Cllr Armstrong		Cllr Barker
Cllr Caton		Cllr Criscione
Cllr Coote		Cllr Light
Cllr Day		Cllr Oliver
Cllr Dean		
Cllr Driscoll		
Cllr Eke		
Cllr Evans		
Cllr Fairhurst		
Cllr Foley		
Cllr Freeman		
Cllr Gerard		
Cllr Gregory		
Cllr Hargreaves		
Cllr Isham		
Cllr Khan		
Cllr Lavelle		
Cllr LeCount		
Cllr Lees		
Cllr Lemon		
Cllr Lodge		
Cllr Loughlin		
Cllr Luck		
Cllr Merifield		
Cllr Pavitt		
Cllr Pepper		
Cllr Sell		
Cllr Storah		
Cllr Sutton		
Cllr Tayler		
Total:		
30		4

The proposal was carried.

Council is RESOLVED to:

A) Section 25 Report – Robustness of Estimates and Adequacy of Reserves:

- I. Take account of the advice in the report when determining the 2020/21 General Fund budget and Council Tax
- II. Approve the risk assessment relating to the robustness of estimates as detailed in the report.
- III. Set the minimum safe contingency level for 2020/21 at £1.300 million for the General Fund and £0.463 million for the Housing Revenue Account.
- IV. Approve the Reserves Strategy set out in Annexe A1
- V. Agree that no transfers to or from the Working Balance should be built into the 2020/21 budget.

B) Commercial Strategy

- VI. Approve the Commercial Strategy.
- VII. Approve the revised investment fund of £300 million.

C) Medium Term Financial Strategy

- VIII. Approve The Medium Term Financial Strategy

D) Treasury Management Strategy

- IX. Approve the Treasury Management Strategy
- X. Approve the amended maximum level of investment with Money Market Funds from £1 million per fund to £2 million. This means a total of £10 million investment over 5 Money Market Funds.

E) Capital Strategy

- XI. Approve the Capital Strategy
- XII. Approve the Minimum Revenue Provision (MRP) as set out in Annexe E1.

F) Capital Programme

- XIII. Approve the 5 year Capital Programme
 - (i) Note the administration's ambition to build significantly more social housing than the previous administration and look forward to an increase in the capital programme as suitable sites are secured. All councillors are urged to identify potential sites in their wards.

G) Housing Revenue Account (HRA)

- XIV. Approve the Housing Revenue Account

H) General Fund Revenue and Council Tax

- XV. Approve the General Fund Council Tax requirement of £5,956,841

- XVI. Approve the schedule of fees and charges as set out in Annexe H6
- (i) Raise the allocation in support of addressing the Climate Emergency to the maximum amount possible under funding restrictions imposed by central government and the previous UDC Administration.

I) Equalities Impact Assessment

- XVII. Note the outcome of the EQIA.

C68 BUSINESS RATES RELIEF POLICY

Councillor Fairhurst declared a pecuniary interest as he paid business rates in the District. He took no part in the debate, nor the vote.

Councillor Hargreaves summarised the report to Council. The business rates relief would be awarded automatically to eligible businesses in the area and would take effect from 1 April 2020.

The following points were highlighted:

- The business rates retail discount scheme for occupied retail properties with a rateable value of less than £51,000 would increase from 33% to 50%.
- A discount of £1,000 would be available to eligible pubs with a rateable value of less than £100,000 in 2020/21.
- The extension of the £1,500 business rates discount for office space occupied by local newspapers would apply for an additional 5 years, 1 April 2020 to 31 March 2025.

Councillor Hargreaves said the additional money would be welcomed by businesses and proposed adoption of the policy.

Councillor Lees seconded the proposal.

RESOLVED to adopt the Business Rates Discretionary Rate Relief/Discount Policy as set out in Appendix A

The Chair adjourned the meeting until the 10 March where the remaining business would be considered.

The meeting was adjourned at 11.00pm.