

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 13 JUNE 2019 at 7.15 pm

Present: Councillor J Lodge (Chair)
Councillors A Armstrong, H Asker, D Eke, A Gerard, N Hargreaves, P Lees, B Light and L Pepper

Officers in attendance: D French (Chief Executive), B Ferguson (Democratic Services Officer), R Harborough (Director – Public Services) and A Webb (Director – Finance and Corporate Services).

Also present: Councillors S Barker (Leader of the Conservative Group), R Pavitt (Leader of Uttlesford Independents), G Sell (Representing the Liberal Democrat Group); Councillor C Criscione (Deputy Leader of the Conservative Group).

CAB1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Fairhurst, Councillor Dean as Leader of the Liberal Democrat Group and Councillor Gregory as Chair of the Scrutiny Committee.

Councillor Sell represented the Liberal Democrat Group in the absence of Councillor Dean.

CAB2 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were approved and signed by the Chair as a correct record.

CAB3 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL (STANDING ITEM)

In response to a question from Councillor Sell, the Chair said a Governance Review, with a specific remit to look at the merits of moving to a Committee system, would be realised through a working group of Full Council.

Councillor Sell asked whether opposition members would be invited to the Local Government Association Conference.

The Chair said as the costs to attend were expensive the answer in principle was no.

In response to a question from Councillor Criscione, the Chair said Topic Leads were a new concept at the Council but he had assigned members of his

Administration to all but one post. He added that he agreed with the proposal to produce job descriptions for all executive members with portfolio responsibilities.

CAB4 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

The Chair read out a report on behalf of Councillor Gregory, the newly appointed Chair of the Scrutiny Committee. The statement summarised the Committee's first meeting and how they envisioned scrutiny working at the Council going forward. The Committee had identified two major work streams – Governance of the Council and Planning - that they would focus on in the coming municipal year, with the intention to have agreed implementable findings by 31 March 2020.

The statement has been appended to these minutes.

CAB5 CABINET WORKING GROUPS

Members considered the proposed appointments and Terms of Reference for Cabinet Working Groups as set out in the report.

In response to a Member question, the Chair said the Garden Communities Member Delivery Board (GCMDDB) would report back to Cabinet every quarter. He said further information relating to GCMDDB would be provided at item 18 on the agenda.

RESOLVED to appoint membership of the Cabinet Working Groups, and where indicated, Chairs, as set out in the report to the meeting

CAB6 APPOINTMENTS TO OUTSIDE BODIES

Members considered appointments to Outside Bodies as set out in the report.

RESOLVED to appoint the membership of outside bodies as set out in the report.

CAB7 APPOINTMENTS TO NORTH ESSEX PARKING PARTNERSHIP

Members considered the proposal to appoint Councillor Eke to represent the Council on the North Essex Parking Partnership, and to appoint Councillor Armstrong as the substitute member.

RESOLVED to appoint as the Council's representative to the North Essex Parking Partnership Councillor Deryk Eke, and Councillor Alexander Armstrong as substitute member.

CAB8 APPOINTMENTS TO THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE

Members considered the proposal to appoint Councillors Gerard, Light and Lees as members of the Assets of Community Value and Local Heritage List Committee.

RESOLVED to appoint as members of the Assets of Community Value and Local Heritage List Committee Councillors Anthony Gerard, Barbara Light and Petrina Lees.

CAB9 APPOINTMENTS TO WEST ESSEX WELLBEING JOINT COMMITTEE

Members considered the proposal to appoint Councillors Lees and Tayler as members of the West Essex Wellbeing Joint Committee.

RESOLVED to appoint as members of the West Essex Wellbeing Joint Committee Councillors Petrina Lees and Mike Tayler.

CAB10 APPOINTMENTS TO THE VOLUNTARY SUPPORT GRANTS COMMITTEE

Members considered the proposal to appoint Councillors Hargreaves, Lees and Lodge as members of the Voluntary Support Grant Committee.

RESOLVED to to appoint as members of the Voluntary Support Grants Committee Councillors Neil Hargreaves, Petrina Lees and John Lodge.

CAB11 AVIATION 2050: THE FUTURE OF UK AVIATION. A CONSULTATION

Councillor Eke, the Portfolio Holder for Infrastructure, Transport and Stansted Airport, presented the report outlining the Council's response to the Government's consultation on the 'Aviation Strategy Green Paper' (ASGP). He said the Green Paper covered a wide range of topics relating to the future of the UK's aviation industry and it was important for the Council to engage with, and shape, the emerging policy framework. He said whilst the ASGP was primarily concerned with economic growth, it also set out how to tackle the environmental impact of aviation. He added that it was vitally important to balance the desire for economic growth with the impact aviation has on the environment and local communities. He commended the report and the officer's robust response to the consultation.

Councillor Gerard asked how the Government's recent commitment to a net zero carbon emissions policy would affect the future of UK aviation policy, particularly as it was very likely to become law in the next 21 days as a statutory instrument.

Councillor Eke said this was a consultation and the comments supplied by the Committee on Climate Change (CCC) would be taken into account by the

Government. The Council's response would comment on the need to either extend the consultation, or reopen the consultation all together to ensure this change in law was accounted for.

The Chair added that whilst the overall target for UK emissions was net zero, the statutory instrument did not refer to any 'levers' or specific industries that would be targeted and it was too early to tell what impact the policy would have on UK aviation.

RESOLVED that officers send the Council's response to HM Government's consultation on the Aviation Strategy Green Paper (ASGP).

CAB12 **LAND AND ROAD AT PARKERS IN BERDEN**

Councillor Lees, the Portfolio Holder for Housing, Health and Wellbeing, presented the report outlining the situation at Parkers, Berden for the consideration of Cabinet. The report sought approval for the amendment of a restrictive covenant in respect of the recreation ground at the rear of Parkers, and for the transfer of a road that gave access to the council houses in Berden to the District Council. This had been at the request of Berden Parish Council.

RESOLVED:

- a. To vary the restrictive covenant to remove the reference to a croquet pitch or bowling green requirement so that the Parish Council can use the grounds for any recreational activity of their choice without first seeking the Council's approval.
- b. To approve the acquisition of the access road at Parkers, Berden for £1 so that the Council is placed in the position it had intended when the recreation ground was sold to the Parish Council in 1997.
- c. To pay the Parish Council's legal/valuation costs which will be capped at £1,500 including VAT.

CAB13 **ELMDON VILLAGE DESIGN STATEMENT**

The Chair presented the report seeking approval for the Elmdon Village Design Statement as submitted by Elmdon Parish Council. An authorised Village Design Statement (VDS) was an advisory document used by planners, developers and local people through the planning process. If a VDS met the requirements of a local authority, it could be used as a material consideration in the determination of planning applications.

The Chair concurred with Councillor Barker that the author be commended for the quality of the report.

RESOLVED to adopt the Elmdon Village Design Statement as Council Approved Guidance for the purposes of Development Management and Planning Policy.

CAB14 ASSET OF COMMUNITY VALUE NOMINATIONS IN FELSTED

Councillor Gerard, Portfolio Holder for Residents and Community Partnerships; Police and Emergency Services, presented the report summarising the nominations of The Swan Inn and The Chequers Public House, both situated in Felsted, as Assets of Community Value. He said both nominations were valid as they had furthered the interests of the community and it was realistic to think the buildings would continue to do so in the next 5 years.

RESOLVED to list as Assets of Community Value:

- a. The Swan Inn, Station Road, Felsted
- b. The Chequers Public House Braintree Road, Felsted

CAB15 GARDEN COMMUNITIES DELIVERY MEMBER GOVERNANCE BOARD UPDATE SEPTEMBER 2018 – MAY 2019

The Chair presented the report updating Cabinet on the Garden Communities Delivery Member Governance Board (GCDMGB) activity in the last eight months. He said the Board had been established to look at business relating to the garden communities proposed in the Local Plan that was unsuitable for the Planning Policy Working Group. He said he was in favour of Development Corporations, which would keep the Local Plan out of the hands of developers.

In response to a member question, the Chair said whilst the GCDMGB documentation was not made public, all meetings were minuted.

RESOLVED to note the update for meetings of the Garden Communities Delivery Member Governance Board between September 2018 and May 2019.

CAB16 ANY OTHER ITEMS THE CHAIRMAN CONSIDERS TO BE URGENT

The Chair said he had an item of urgent business, and although on this occasion he would make an Executive Decision, he would like an informal vote from Cabinet. The item before members related to the purchase of a suitable property to add to the council's housing stock using Right to Buy receipts.

Councillor Light said the cost of the property was too high and that officers should look at property elsewhere in the district.

Councillor Lees said this was an opportunity and the cost was in line with the market; she said the purchase should go ahead as the RTB receipts had to be spent by September.

Councillor Asker said the due diligence undertaken was sound and the property should be added to the Council's portfolio due to its suitability.

RESOLVED to approve the use of RTB receipts and HRA borrowing to purchase on the open market a 2 bedroom house as additional stock within the HRA at a cost of £295K as an Executive Decision.

The meeting ended at 8.05pm.

Statement of Cllr Neil Gregory, Chair of Scrutiny Committee

Read by Cllr John Lodge, Leader of the Council at Cabinet 13 June 2019

We had an excellent meeting of Scrutiny Committee yesterday evening, the membership is collegial and has a firm grasp of the nature and extent of their duties. They are particularly minded to establish an effective working relationship with Cabinet.

We have identified two major work streams which we intend to be the focus of our work. It is our intention to have agreed, implementable findings by 31/3/20. We intend to discuss detailed draft Terms of References (ToRs) for each workstream at our meeting on 25 June.

1. Governance of the Council - We are aware of your desire to move away from the cabinet system, this work stream which will of necessity require close collaboration with officers and the executive is intended to ensure that such changes are practicable, implementable, maintain (enhance) accountability and can be operated with minimal disruption. Cllr SELL has kindly agreed to chair the working group for this matter.
2. Planning - This work stream is split into two components - Major Planning Applications and General Planning, taking each separately;

Major planning applications - this will look at the conduct of very large and significant proposals in terms of process, resource, advice to members and the ways in which UDC engages with stakeholders. It will not consider any specific aspect of the Stansted application until that matter has been determined. However preliminary work can and will be carried out, the Planning Advisory Service is being retained to assist with that preliminary work. Cllr LeCOUNT has kindly agreed to chair the working group for this matter.

Closely related, and with extensive cross overs and matters of mutual interest, General Planning will look at such matters as enforcement, developer contributions, engagement with town and parish councils, the user experience, resourcing and other relevant issues to improve and enhance the efficiency and effectiveness of this aspect of UDC operations. Cllrs CRISCIONE, EVANS and JONES are all keen to take leading roles in this matter. Cllr EVANS has, in the first instance, agreed to work on draft ToRs and work closely with Cllr LeCOUNT on aligning the work streams.

The committee is aware that there may be resource requirements for this work and officers are investigating this. The committee is also aware that the planning function is under some operational stress and that we need to avoid making this worse. Our approach will be sympathetic and supportive.

The committee preferred to focus on a few areas of activity rather than spread our efforts too thinly. Nonetheless as Cllr FAIRHURST's work on investments and investment governance continues we would welcome interaction with him.