

## Public Document Pack

# Uttlesford District Council

Chief Executive: Peter Holt

## 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:** Tuesday, 7th December, 2021

**Time:** 7.00 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden, CB11 4ER

**Broadcast:**

<https://uttlesford.moderngov.co.uk/ieListDocuments.aspx?CId=159&MId=5727>

**Chair:** Councillor A Coote

**Members:** Councillors A Armstrong, H Asker (Vice-Chair), G Bagnall, S Barker, M Caton, C Criscione, C Day, A Dean, G Driscoll, D Eke, J Emanuel, J Evans, P Fairhurst, M Foley, R Freeman, 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, G Smith, M Sutton, M Taylor and J De Vries

### **Public Speaking**

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given notice by 12 noon two working days before the meeting. Please register your intention to speak at this meeting by writing to [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk)

Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, and encouraged to attend the meeting via Zoom to readout their questions or statement themselves. For further information, please see overleaf. Those who would like to watch the meeting live can do so virtually [here](#). The broadcast will be made available as soon as the meeting begins.

# 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** 6 - 22  
To receive the minutes of the previous meeting.
- 3 Chair's Announcements**  
To receive any announcements from the Chair.
- 4 Reports from the Leader and Members of the Executive** 23 - 55  
To receive matters of report from the Leader and members of the Executive.
- 5 Council Procedure Rules: time permitted for questions to the executive and Committee Chairs** 56 - 69  
To consider the report regarding the time permitted for questions to the Executive and Committee Chairs (Rule 2.4).
- 6 Questions to the Leader, Members of the Executive and Committee Chairs (up to 30 minutes)** 70  
To receive questions from members for the Executive and committee chairs.
- 7 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.
- 8 Matters received about joint arrangements and external organisations**  
To consider matters concerning joint arrangements and external organisations.

<b>9</b>	<b>Appointment of Returning Officer and Electoral Registration Officer</b>	71 - 77
	To receive the decision notice regarding the appointment of the Returning Officer and Electoral Registration Officer.	
<b>10</b>	<b>Members' Scheme of Allowances 2022-23</b>	78 - 91
	To consider the Members' Scheme of Allowances 2022/23.	
<b>11</b>	<b>Public Sector Audit Appointments 2022/23</b>	92 - 100
	To consider the report on Public Sector Audit Appointments for 2022/23.	
<b>12</b>	<b>Local Council Tax Support Scheme 2022/23</b>	101 - 122
	To consider the Local Council Tax Support Scheme 2022/23.	
<b>13</b>	<b>Ethical Investment Policy</b>	123 - 129
	To consider the Ethical Investment Policy report.	
<b>14</b>	<b>Establishment of Planning Committee Working Group</b>	130 - 135
	To consider the establishment of Planning Committee Working Group.	
<b>15</b>	<b>Appointment to the Essex Police, Fire and Crime Panel</b>	
	To appoint Councillor Sutton to replace Councillor Day as the substantive member on the Essex Police, Fire and Crime Panel.	
<b>16</b>	<b>Election of a Leader of Council</b>	
	To elect a Leader of the Council.	
	Councillor Lodge has indicated his intention to stand down as Leader of the Council at the meeting on 7 December. As a vacancy will arise, it will be necessary to elect a new Leader of Council.	
<b>17</b>	<b>Announcement by new Leader of their Deputy and Cabinet</b>	
	To receive an announcement from the new Leader regarding their Deputy and Cabinet.	
<b>18</b>	<b>Member Motion: Independent Test Process for the Local Plan</b>	136

To consider the Member motion regarding an Independent Test Process for the Local Plan.

**19 Member Motion: Abuse of elected representatives and public servants, and the coarsening of public discourse** 137 - 138

To consider the Member motion regarding abuse of elected representatives and public servants, and the coarsening of public discourse.

**20 Member Motion: Highways Funding** 139

To consider the Member motion regarding Local Highways Panel Funding.

## **MEETINGS AND THE PUBLIC**

In light of the recent High Court judgement regarding the extension of remote meeting regulations, Council, Cabinet and Committee meetings will now be returning to in-person and will be held on-site from Thursday 6th May 2021. However, due to social distancing measures and capacity considerations in line with the Council's risk assessment, public access and participation will continue to be encouraged virtually until further notice.

Members of the public are welcome to listen live to the debate of any of the Council's Cabinet or Committee meetings. All live broadcasts and meeting papers can be viewed on the Council's calendar of meetings webpage.

Members of the public are permitted to speak at this meeting and will be encouraged to do so via the video conferencing platform Zoom. If you wish to make a statement via Zoom video link, you will need to register with Democratic Services by midday two working days before the meeting. There is a 15 minute public speaking limit and 3 minute speaking slots will be given on a first come, first served basis. Those wishing to make a statement via video link will require an internet connection and a device with a microphone and video camera enabled. Those wishing to make a statement to the meeting who do not have internet access can do so via telephone.

Technical guidance on the practicalities of participating via Zoom will be given at the point of confirming your registration slot, but if you have any questions regarding the best way to participate in this meeting please call Democratic Services on 01799 510 369/410/467/548 who will advise on the options available.

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

### **Facilities for people with disabilities**

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#### **For information about this meeting please contact Democratic Services**

Telephone: 01799 510369, 510548, 510410 or 510467

Email: [Committee@uttlesford.gov.uk](mailto:Committee@uttlesford.gov.uk)

#### **General Enquiries**

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# Agenda Item 2

**COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 5 OCTOBER 2021 at 7.00 pm (reconvened on WEDNESDAY, 6 OCTOBER 2021)**

Present: Councillor A Coote (Chair)  
Councillors A Armstrong, S Barker, M Caton, C Criscione, C Day, A Dean, G Driscoll, J Emanuel, J Evans, P Fairhurst, M Foley, R Freeman, N Gregory, N Hargreaves, R Jones, A Khan, P Lavelle, G LeCount, P Lees, M Lemon, B Light, J Loughlin, S Luck, S Merifield, E Oliver, R Pavitt, L Pepper, N Reeve, G Sell, G Smith, M Sutton, M Tayler and J de Vries

Officers in attendance: P Holt (Chief Executive), B Ferguson (Democratic Services Manager), R Harborough (Director - Public Services), E Smith (Solicitor & Deputy Monitoring Officer) and A Webb (Director - Finance and Corporate Services)

Public

Speakers: D Corke, A Gardner and V Isham

## C43 **MINUTE'S SILENCE**

The Chair began with a commemoration to Sarah Oxley, a long standing council officer, who had sadly passed away on the 8<sup>th</sup> September. Sarah had worked within the Benefits Service for over 20 years and was a much valued friend and colleague, not just to benefits staff, but to many across the Council. She would be very sadly missed but never forgotten.

*Council stood for a minute's silence.*

## C44 **PUBLIC SPEAKING**

Mr David Corke and Ms April Gardner addressed Council. Summaries of their statements are appended to these minutes.

## C45 **APPOINTMENT OF VICE-CHAIR**

In the absence of Councillor Asker, the Vice-Chair of Council, the Chair proposed to appoint Councillor Gregory as Vice-Chair for the meeting.

RESOLVED to appoint Councillor Gregory as the Vice-Chair of Council for the meeting held on 5 October 2021.

## C46 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence on 5 October were received from Councillors Eke, Luck, Asker, Isham, Bagnall, Tayler, Smith and Lodge.

Councillor Criscione noted that this evening's Council meeting clashed with the Conservative Party Conference. He asked that party conferences be taken in to account when scheduling the meetings of Full Council in future.

**C47 MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meetings held on 20 July and 9 September 2021 were approved as correct records subject to the following amendment to minute C33 of the meeting held on 20 July 2021:

The word '**loan**' to be replaced with the word '**grant**'.

**C48 CHAIR'S ANNOUNCEMENTS**

The Chair provided a brief update on events he had attended since the previous meeting. He said he would be raising money for the East Anglia Children's Hospice by getting fit and would make an announcement at the next meeting.

**C49 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

In the absence of the Leader, Councillor Lees, the Deputy Leader, said she had no announcements for Full Council.

**C50 QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRS (UP TO 30 MINUTES)**

The Chair invited Councillor Barker to ask her urgent question regarding car parking ticket machines of Councillor Freeman, the Portfolio Holder for Public and Council Services.

Councillor Barker said she had been alerted to the change of car park ticket machines in Great Dunmow towards the end of September. She asked when the decision had been made to change Dunmow Parking machines to cashless machines; what consultation had been done with the public? Had an Equality Impact Assessment (EQIA) been carried out in respect of this decision? Had there been a press release and were notices affixed to old machines to alert residents to this change? Why had Councillors not been informed this was happening?

In response, Councillor Freeman said his published report dealt with the early stages of this process but events had now moved on. He said the decision was taken in 2016 to put money aside to change the ticket machines into cashless across the district but five years later the money had not been spent. The Council's hand was forced to make changes following a spate of vandalism and theft from the cash ticket machines. Thieves had stolen a machine and had de-engineered the technology; criminals now knew how to circumnavigate existing

security mechanisms. He said the current position was unsustainable and the technology needed to be updated. In regards to a consultation, he said a trial was currently being run and the consultation would take place following the end of the pilot. An EQIA had been produced and press releases had been circulated, as well information sent to the relevant town and parish councils. He said he was looking forward to hearing the views of the public following the consultation.

The Chair said he would take any questions of clarification on the five written questions submitted and published with the papers. Supplementary questions would not be permitted.

Councillor Dean thanked Councillor Pepper for her comprehensive answer to his written question regarding waste and recycling issues. He suggested that GAP Committee monitor waste and recycling performance indicators.

Councillor Sell asked for clarity regarding his Highways funding question. He asked whether he was correct to think that there was no guarantee that Highways funding would be made available next year.

In response, Councillor Hargreaves asked whether Councillor Sell accepted what had been said at previous Highway Panel meetings regarding Essex County Council's issues with delivery and the lack of engineers to carry-out further projects.

Councillor Sell said he did understand this but the County Council had to budget and therefore they needed to know what the budget would be for the next financial year in order to programme delivery of projects. He expected there to be a dialogue between officers.

Councillor Sell asked for clarity regarding his call for sites question and when these sites would be put in the public domain.

In response, Councillor Evans said his written answer referred to a recent Local Plan Leadership Group publication that included a schedule and provided details on the call for sites.

Councillor Gregory said he had no questions of clarification for Councillor Pepper.

## **C52 ANNUAL REPORT OF THE SCRUTINY COMMITTEE**

Councillor Gregory, Chair of the Scrutiny Committee, presented the Committee's annual report. He said its presentation had been delayed and the content referred to the work carried out in the municipal year 2020-21. The defining issue of the year had been the coronavirus; he said the Council had displayed institutional agility in responding to the pandemic under very challenging circumstances. He thanked officers for their contribution during this difficult year including the Assistant Director of Finance, the Business Support Officer, the Local Plan and New Communities Managers, the Development Manager and the



Assistant Director for Corporate Services. One major work stream that had been developed in the past year included dedicated Local Plan Scrutiny meetings; this had been a great success and had added value to the process. Another was the scrutiny carried out on S106 issues and he thanked Councillors Jones and Criscione for their hard work. The Corporate Plan Delivery Plan had also been comprehensively scrutinised and would be continued to do so. In terms of self-improvement, he said the Centre for Public Scrutiny had carried out a review and the Committee had been asked to focus its attention on the Executive to ensure they were held to account. Reservations were still held regarding the Executive's reluctance to share information, and Scrutiny would continue to ask for detailed, specific and measurable outcomes. He thanked members of the Committee from all groups for their continued efforts to ensure that effective scrutiny was carried out.

C53

### **GOVERNANCE REVIEW WORKING GROUP: CONCLUSION OF THE GOVERNANCE REVIEW**

*Councillor Coote vacated the Chair in order to present the report. Councillor Gregory took the Chair and invited Councillor Coote to address Council.*

Councillor Coote said he was passionate about governance and had been delighted when asked to Chair the Governance Review Working Group in 2019. He was saddened to propose the recommendation in the report, specifically to disband the GRWG, but he felt the group had run its course and he had failed to convince members that a change in governance models was the best way forward. He moved the recommendation as set out in the report.

Councillor Criscione seconded the proposal.

Members discussed the recommendation set-out in the report and the work of the GRWG. In summary, the following points were made:

- There had been a lack of political will to change from a Cabinet to a Committee System.
- Councillor Coote's sincerity and commitment to good governance was not in doubt.
- Lessons had been learnt during the review and there was still work to be done on governance issues, including the culture of governance and the scheme of delegation.
- The Administration had committed to a review of the governance system and that had been undertaken; a move to a Committee System had not been pre-determined.
- The Cabinet system concentrated too much power in too few hands. A more inclusive system was needed.

Councillor Coote summarised the debate and said he was saddened to disband the GRWG but they had been unsuccessful in their attempt to find a better, or at least as effective, model of governance in relation to the existing Cabinet system. If the review was to recommence at a later date, new members with a different vision would be required.

The Vice-Chair moved to a vote.

Councillor Fairhurst requested a recorded vote:

<b>Councillor:</b>	<b>For, Against or Abstain</b>
Armstrong	For
Barker	Against
Caton	Against
Coote	For
Criscione	Abstain
Day	For
De Vries	For
Dean	Against
Driscoll	For
Emanuel	For
Evans	For
Fairhurst	Against
Foley	Against
Freeman	For
Gregory	For
Hargreaves	For
Jones	For
Khan	Against
Lavelle	For
LeCount	For
Lees	For
Lemon	Against
Light	Against
Loughlin	Against
Merifield	For
Oliver	Against
Pavitt	Abstain
Pepper	For
Reeve	For
Sell	Against
Sutton	For

The proposal was carried 18 for, 11 against and 2 abstentions.

RESOLVED that the Governance Review Working Group be disbanded and that the following significant key points identified during the course of the review be acknowledged and taken forward:

- I. Many “softer” culture issues had been identified. Most notably the future need for transparency, openness, honesty, respect for one another and trust. This was dependent on the working culture and practices of members and officers.

- II. The Monitoring Officer to be asked to report to GAP on reviewing the Constitution and the Council's Scheme of Delegations.

C54 **LITTLE CANFIELD BUSINESS PARK (LCBP)**

*Councillor Coote retook the Chair.*

The Chair invited Councillor Reeve to present the report on Little Canfield Business Park, which outlined a request from Cabinet to allocate the sum of £7.5million from the £300m commercial fund to the commercial element of the Park. He proposed the recommendation as set-out in the report.

Councillor Hargreaves seconded the proposal.

In response to a question from Councillor Caton regarding the green credentials of the site, Councillor Reeve said the installation of solar panels on the roof had been looked into but the structural integrity of the building could not bear the weight of current solar panel technology. However, the idea of a carbon-neutral zone at the site was under consideration.

Councillor Foley said solar panel installation should be looked at all future sites relating to council investments.

Councillor Hargreaves said interest had already been shown in the rental space available on the site.

The Chair moved to a vote.

RESOLVED to endorse the allocation of £7.5million to the LCBP commercial element and to authorise the necessary borrowing.

C55 **MOTION: SOLAR FARM PLANNING APPLICATIONS**

Councillor Barker was invited to present her motion regarding solar farm planning applications. She said there was a need to have a policy developed regarding solar farm applications and the intention was to “bridge the gap” with this proposal until a time that the emerging Local Plan was in effect. She proposed the motion as set out in the agenda, as follows:

**Motion:**

*This Council notes a number of recent applications for Solar Farms in the area and calls on the planning committee and its officers to recommend the following as a condition should they be minded to approve an application until such a time when the new planning policy framework in the emerging Local Plan has been adopted.*

*Any successful planning application for a Solar Farm or other energy producing scheme on a green field, in the Countryside Protection Zone or green belt site*

*will have a condition applied to the permission which states that "should all or part of the application site cease to be used for energy production that the site will be returned to its Green Field/ Belt status and will not be considered as a Brown Field site".*

Councillor Loughlin seconded the proposal. She said solar farms were often built upon agricultural land and it was only right that the land was returned to its pre-application state when it was no longer used for the purpose of solar farms.

Councillor Merifield said solar farms were temporary structures and therefore the land would return to its previous state; it would not automatically be designated a "brown-field site". She said she was confused by the motion and felt that such decisions should be reserved for the Planning Committee.

Councillor Foley spoke on behalf of Councillor Tayler, who was not present. He supported the motion but expected further clarity to be added to the policy via the emerging Local Plan process. Furthermore, the motion did not address the impact of solar farms on the landscape, although it did address the temporary nature of these planning applications.

Councillor Foley said he was a member of CPRE who had been working on the subject and a brochure would be shared with members.

Councillor Evans said work was being undertaken by the Development Management and Legal teams on the decommissioning of solar farm sites.

The Chief Executive advised that if this motion were to be approved it would not bind the Planning Committee but was expressing a wish that the planning condition under discussion was actively considered in the planning process.

The Chair moved to a vote.

RESOLVED: this Council notes a number of recent applications for Solar Farms in the area and calls on the planning committee and its officers to recommend the following as a condition should they be minded to approve an application until such a time when the new planning policy framework in the emerging Local Plan has been adopted.

Any successful planning application for a Solar Farm or other energy producing scheme on a green field, in the Countryside Protection Zone or green belt site will have a condition applied to the permission which states that "should all or part of the application site cease to be used for energy production that the site will be returned to its Green Field/ Belt status and will not be considered as a Brown Field site".

## **MOTION: TO CALL ON GOVERNMENT TO RETAIN THE £20 PER WEEK UNIVERSAL CREDIT UPLIFT**

Councillor Khan was invited to present the motion regarding the Universal Credit Uplift. He said that he had put this motion together from a place of fairness and compassion. He praised the 30 councillors who had signed up in support of the motion, recognising the need to protect the most vulnerable people at a time when household costs were rising. He said that challenging the Government to retain the £20 uplift was the right thing to do and asked Council to support the proposal as set out in the agenda, as follows:

### **Motion:**

*This Council recognises the positive impact of the £20 uplift on Universal Credit implemented in April 2020.*

*It is now increasingly likely that the Government will withdraw the £20 Universal credit uplift meaning many families in Uttlesford are potentially facing a loss of £1,040 a year to their incomes overnight.*

*Official statistics from the Local Government Association indicate that 4,806 people were claiming Universal Credit in Uttlesford in August 2021. 2,078 were in employment.*

*At the end of the month, two of the major protections to protect household finances in Uttlesford during the pandemic are scheduled to end. These are: The Job Retention Scheme and the £20 a week increase in Universal Credit. October will also see a 12% rise in the maximum amount energy providers can charge which will see people having to pay more to heat their homes.*

*Therefore:*

*I. The Council calls on the UK government to help families in Uttlesford by retaining the £20 uplift.*

*II. The Council agrees to write to the Chancellor of the Exchequer and our MP Kemi Badenoch, who is now a Minister in the Department for Levelling Up, requesting they retain the £20 uplift on Universal Credit. This will send a clear message to our residents following the pandemic which has resulted in acute financial pressures, job losses and increased debt, that we believe in fairness.*

In response to a question from the Chair regarding the validity of the amendments, the Chief Executive said the advice on balance had been that the amendments were valid and had not negated the purpose of the motion.

Councillor LeCount had provided notice of an amendment and was invited to propose. He thanked Councillor Khan and Caton for their motion, which had given him the idea to ask other members whether more could be done to help residents in need. Following consultation with other councillors, he felt that a real difference could be made if members donated their allowance for the month of November to the Uttlesford Food Bank. This would help those most in need and show that Uttlesford District Council cared. He proposed the amendment as published with the agenda.

**Amendment:**

*This Council recognises the positive impact of the £20 uplift on Universal Credit implemented by the Government in April 2020.*

*It is now increasingly likely that the temporary £20 Universal credit uplift will be brought to an end meaning there are families in Uttlesford who are potentially facing a loss of £1,040 a year to their incomes. Official statistics from the Local Government Association indicate that 4,806 people were claiming Universal Credit in Uttlesford in August 2021. 2,078 were in employment.*

*At the end of the month, two of the major protections to household finances in Uttlesford during the pandemic are scheduled to end.*

*These are:*

*The Job Retention Scheme and*

*The £20 a week increase in Universal Credit.*

*October will also see a 12% rise in the maximum amount energy providers can charge which will see people having to pay more to heat their homes.*

*Therefore:*

*The Council calls on the UK government to continue to support those in need through the benefits system, but to also prioritise investment and support into employment and skills to further help families in Uttlesford as the country emerges from the Covid-19 pandemic.*

*Furthermore, this Council believes in immediate, positive and direct action which will have an effect on people's lives. Accordingly, Council resolves:*

- a. To invite all Councillors to donate to the Uttlesford Food Bank during the month of November 2021, up to the extent of their Councillor's allowances for the month of November 2021, such monies to be used collectively to provide additional support and comfort during the Christmas and winter period to those of our residents in greatest need, through the Uttlesford Food Bank.*
- b. That Cllr LeCount report back to the first full Council of 2022 on the actions undertaken and extent of the additional support provided to residents and that the Director of Finance be requested to monitor the expenditure undertaken.*

Councillor Criscione said the past two years had been extremely challenging for everyone. The economic impact had hit the most vulnerable in our society the hardest, one mitigating measure introduced by the Government to alleviate hardship was the temporary uplift in Universal Credit. He said more was needed than writing a letter to Government and he was grateful to Councillors LeCount, Gregory and Pavitt for coming up with an initiative that would result in direct action to help residents in need. He said the original motion was politically motivated, as demonstrated by the same motion being sponsored by Liberal Democrats at local authorities across the country.

Councillor Dean spoke against the amendment; he said families wanted money in their pockets, not donations to the Foodbank. The amendment softened the intent of the motion and he asked members to reject it.

The Chair said he would take no further speakers as there was under five minutes remaining before the Council Chamber had to be vacated for ventilation purposes. He moved to a vote on the amendment.

The amendment was carried 17 for, 13 against with 1 abstention.

The Chair said notice had been received of a further amendment, as proposed by Councillor Khan.

Councillor Khan proposed the further amendment as follows.

**Further Amendment:**

*This Council recognises the positive impact of the £20 uplift on Universal Credit implemented in April 2020.*

*It is now increasingly likely that the Government will withdraw the temporary £20 Universal credit uplift meaning many families in Uttlesford are potentially facing a loss of £1,040 a year to their incomes overnight.*

*Official statistics from the Local Government Association indicate that 4,806 people were claiming Universal Credit in Uttlesford in August 2021. 2,078 were in employment.*

*At the end of the month, two of the major schemes designed to protect household finances in Uttlesford during the pandemic are scheduled to end. These are:*

*The Job Retention Scheme and  
The £20 a week increase in Universal Credit.*

*October will also see a 12% rise in the maximum amount energy providers can charge which will see people having to pay more to heat their homes.*

*Therefore:*

*The Council calls on the UK government to:*

*I. help families in Uttlesford by retaining the £20 uplift.*

*II. The Council furthermore agrees to write to the Chancellor of the Exchequer and our MP Kemi Badenoch, who is now a Minister in the Department for Levelling Up, requesting they retain the £20 uplift on Universal Credit. This will send a clear message to our residents following the pandemic which has resulted in acute financial pressures, job losses and increased debt, that we believe in fairness.*

*Furthermore, this Council believes in immediate, positive and direct action which will have an effect on people's lives. Accordingly, Council resolves;*

*a. To invite all Councillors to donate to the Uttlesford Food Bank during the month of November 2021. The funds raised to be used to provide additional support and comfort during the Christmas and winter period for the 4806 people claiming Universal Credit across Uttlesford and those in greatest need.*

*b. To ask Cllr Khan to liaise with the CEO of Uttlesford Foodbank in order to report to the Council in early 2022 on how the cash raised was used to support those families and individuals in need.*

The Chair moved to a vote on the further amendment.

The further amendment was carried 14 votes for, 13 against, with 4 abstentions.

The Chair moved to a vote on the substantive motion.

Councillor Fairhurst called for a recorded vote.

<b>Councillor:</b>	<b>For, Against or Abstain</b>
Armstrong	Abstain
Barker	Against
Caton	For
Coote	For
Criscione	Against
Day	Against
De Vries	For
Dean	For
Driscoll	For
Emanuel	For
Evans	For
Fairhurst	For
Foley	For
Freeman	For
Gregory	For
Hargreaves	For
Jones	For
Khan	For
Lavelle	For
LeCount	For
Lees	For
Lemon	For
Light	For
Loughlin	For
Merifield	For
Oliver	Abstain
Pavitt	Abstain



Pepper	For
Reeve	For
Sell	For
Sutton	For

The substantive motion was approved 25 votes for, 3 against, with 3 abstentions.

RESOLVED: This Council recognises the positive impact of the £20 uplift on Universal Credit implemented in April 2020.

It is now increasingly likely that the Government will withdraw the temporary £20 Universal credit uplift meaning many families in Uttlesford are potentially facing a loss of £1,040 a year to their incomes overnight.

Official statistics from the Local Government Association indicate that 4,806 people were claiming Universal Credit in Uttlesford in August 2021. 2,078 were in employment.

At the end of the month, two of the major schemes designed to protect household finances in Uttlesford during the pandemic are scheduled to end. These are:

The Job Retention Scheme and  
The £20 a week increase in Universal Credit.

October will also see a 12% rise in the maximum amount energy providers can charge which will see people having to pay more to heat their homes.

Therefore:

The Council calls on the UK government to:

I. help families in Uttlesford by retaining the £20 uplift.

II. The Council furthermore agrees to write to the Chancellor of the Exchequer and our MP Kemi Badenoch, who is now a Minister in the Department for Levelling Up, requesting they retain the £20 uplift on Universal Credit. This will send a clear message to our residents following the pandemic which has resulted in acute financial pressures, job losses and increased debt, that we believe in fairness.

Furthermore, this Council believes in immediate, positive and direct action which will have an effect on people's lives. Accordingly, Council resolves;

a. To invite all Councillors to donate to the Uttlesford Food Bank during the month of November 2021. The funds raised to be used to provide additional support and comfort during the Christmas and winter period for the 4806 people claiming Universal Credit across Uttlesford and those in greatest need.

b. To ask Cllr Khan to liaise with the CEO of Uttlesford Foodbank in order to report to the Council in early 2022 on how the cash raised was used to support those families and individuals in need.

*The Chair adjourned the meeting at 9.03pm to Wednesday, 6 October at 7.00pm.*

**C57 MEETING RECONVENED – APOLOGIES FOR 6 OCTOBER AND PUBLIC SPEAKING**

*The meeting was reconvened at 7.00pm on Wednesday, 6 October.*

The Chair reconvened the meeting and said the primary purpose of this session was to resolve the time critical Stansted Airport Planning Appeal item. He noted the apologies of Councillors Armstrong, Pavitt, Bagnall, Eke, Asker, Isham and Lodge for this evening's session.

He invited Councillor Isham, who was unable to attend the meeting in-person and had registered as a public speaker, to address Council. A summary of his statement has been appended to these minutes.

**C58 MATTERS RECEIVED ABOUT JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

The Chair said Item 7 had not been considered the evening before. He confirmed that there were no matters to report from Joint Arrangements and External Organisations.

**C59 STANSTED AIRPORT APPEAL DECISIONS: THE COUNCIL'S APPLICATION FOR PERMISSION TO APPLY FOR A PLANNING STATUTORY REVIEW**

The Chief Executive spoke to the report, which outlined that the application for permission to apply for a statutory planning review has been refused, and that the council was required to decide urgently whether to renew its application. He said all of the details contained in the report were in the public domain and could be debated this evening.

Councillor Lees proposed to accept the judgement of The Honourable Mrs Justice Lang DBE. She said she did so with a heavy heart but it was time to bring legal proceedings to an end.

Councillor Evans seconded the proposal.

The Chair invited Councillor Freeman to assist with chairing duties for this evening as Councillor Gregory, who had temporarily deputised the evening before, had indicated that he needed to depart during the meeting.

Councillor Fairhurst proposed an amendment as follows:

- 1. This Council is extremely disappointed that its application to the High Court for permission to apply for a planning statutory review has been refused;*
- 2. It considers that the responsibility for the failure lies with key Members from the Administration party. In the interest of proper accountability, the Council calls upon the Leader, Deputy Leader, the Portfolio Holder for Planning and the Chair of Planning Committee to resign primarily because of their abject failure to oversee the defence of the unanimous of the Planning Committee in January 2020 to refuse permission to London Stansted Airport to expand to 43mppa. This has cost council taxpayers in Uttlesford in the region of £2.5 million.*
- 3. On condition that this calls for resignations is endorsed, Council resolves to cease legal action related to the airport appeals process.*

The Chief Executive noted that the printed amendment had been signed by eleven councillors, overriding rule 13.2 'Motion similar to one previously rejected' which stipulated that a motion or amendment similar to one rejected within the past 6 months had to be signed by a quarter of Council (ten members) in order to be heard.

*The Chair adjourned the meeting at 7.09pm to allow members to read the tabled amendment.*

*The Chair reconvened the meeting at 7.12pm.*

Councillor Fairhurst spoke to his amendment. He said this was a disaster. The Planning Committee had made a decision to refuse the Stansted Airport expansion application in January 2020 and its decision had not been defended adequately through the appeal process. Voices of concern had been shut down and questions asked of the leadership remained unanswered. He said the leadership now had to take responsibility for the £2.5 million wasted in legal costs and resign.

Councillor Gregory said Councillor Fairhurst had shown great passion and commitment to this matter but the council had already considered a vote of no confidence, and he questioned whether this met the relevant threshold to call for resignations. He said there needed to be recognition of collective responsibility here, with particular attention paid to the Scheme of Delegation and its operation. This was not simply about the failure of individuals. He could not support the amendment as it was aimed at the wrong targets.

*Councillor Gregory left the meeting at 7.20pm.*

In response to a comment from Councillor Barker regarding the Leader's absence, Councillor Lees said events had moved at such speed that he had been unable to return from abroad in time for the meeting.

Councillor Smith said the notion that this was a failure of central Government was an abdication of responsibility. This was council taxpayers' money and the

leadership needed to be held accountable. This was not money to be “frittered away” and could have been put to good use elsewhere.

Councillor Reeve said he did not feel that the money had been wasted; it had been worth defending the decision of the Planning Committee. He proposed that the question now be put.

The Chair said he would not take this to a vote as there were members still wishing to speak and he felt the matter had not yet been fully discussed.

Members continued to discuss the amendment. In summary, the following comments were made:

- The Scrutiny Committee were already scheduled to look at the matter of the appeal process.
- The legal defence had been delegated to officers.
- It was wrong for leading members of the Administration to hide behind officers.
- Non-leading Members had not been kept informed of details relating to the legal defence.
- A lack of accountability, leadership and competence were the issues that had led to a call for resignations.
- The amendment was political theatre, more akin to Westminster politics.
- Climate Change was the greatest threat facing people today and the Planning Committee had been morally right to reject the Airport’s application to expand passenger numbers.
- The Planning system was “statist” and policy was largely dictated by central government for high profile applications.

Councillor Caton, who had seconded the amendment, said the main issue had not been addressed; the Planning Committee’s decision to refuse the application had been changed by the time of appeal to an approval with conditions. Political responsibility could not be abdicated and the amendment was seeking to ensure relevant members were held accountable.

Councillor Fairhurst said this was not a political statement, it was simply about good governance and holding those with responsibility to account. He called for a recorded vote on the amendment.

<b>Councillor:</b>	<b>For, Against or Abstain</b>
Barker	For
Caton	For
Coote	Against
Criscione	For
Day	Against
De Vries	Against
Dean	For
Driscoll	Against
Emanuel	Against
Evans	Against

Fairhurst	For
Foley	Against
Freeman	Against
Hargreaves	Against
Jones	Against
Khan	For
Lavelle	Against
LeCount	Against
Lees	Against
Lemon	For
Light	For
Loughlin	For
Luck	Against
Merifield	Against
Oliver	For
Pepper	Against
Reeve	Against
Sell	For
Smith	For
Sutton	Against
Taylor	Against

The amendment fell with 12 votes for and 19 against.

Councillors Fairhurst and Light said they would not participate any further in the meeting.

*Councillors Light and Fairhurst left the meeting at 8.18pm and did not vote on the substantive motion.*

The Chair moved to a vote on the substantive motion. Councillor Lees read out the recommendation stated in the report.

The recommendation was carried with 28 votes for, none against and 1 abstention.

RESOLVED to accept the judgement of The Honourable Mrs Justice Lang DBE.

*The Chair closed the meeting at 8.20pm.*

## Summary of Public Statements

### April Gardner

Ms Gardner spoke on behalf of Debden Recreation Ground, a small charity responsible for running and maintaining community assets in Debden. She said the charity had applied for a sports provision grant in June for a pavilion but were told they had been unsuccessful due to the request to return another grant relating to the village hall. She said these were two separate projects. She asked how Debden could move forward when many facilities that were available to the village twenty years ago no longer existed. She highlighted UDC's corporate plan and the commitment to make Uttlesford a great place to live, work and play – she said a new village hall and pavilion would go some way to achieving these aims in Debden. She said support from UDC was required to deliver these projects. She invited key members to engage with Debden on these issues.

### David Corke

Mr Corke said the population of Uttlesford had increased significantly since 2000 and many had move here to enjoy the rural nature of the district. However, much of the land was agricultural, not open land to be enjoyed freely. Country Parks and Nature Reserves were required, such as the three nature reserves created by Walden Countryside in the past twelve years. He said Uttlesford was unique in Essex in not having created a country park and he urged UDC to engage with Walden Countryside to make a Country Park in the district happen.

### Councillor Vere Isham (6 October)

Councillor Isham said he had campaigned on the promise to improve the Airport for the community on matters such as air quality, noise and the impact on local residents. He had since left R4U but one of the reasons for doing so was the Administration's approach to the defence of the Planning Committee's decision. He said there had been no credible defence of the decision; he cited the opening remarks of the legal defence team and the fact that no members of the Planning Committee had been invited as witnesses. Furthermore, he took issue with the fact that councillors had not been involved in building the defence case, an approach which had been defended by Councillors Lodge and Evans, as well as the lack of engagement with Stop Stansted Expansion. This was a failure of governance.

**Councillor John Evans,**  
**Portfolio Holder for Planning and the Local Plan**  
**Full Council, 7 December 2021**

## **General – East of England LGA Peer Review – Planning Functions**

This Review has been previously reported upon and early steps have already been taken by the Administration and Officers to act upon its eight recommendations and Council might wish to familiarize itself with the first report of those actions as received by Scrutiny Committee on 22 November 2021. Further updates will be provided in coming months.

## **Local Plan**

In September and October, the Local Plan Leadership Group started to receive the first pieces of evidence being prepared to inform the emerging Local Plan. This includes the draft interim findings of the Retail Study; phase 1 of the Landscape Sensitivity work; and phase 1 of the Heritage Sensitivity work. Further evidence is expected during November on employment, retail, landscape and flooding among other topics.

The group has also endorsed a local version of the national Building for a Healthy Life document to inform planning decisions in the district. This assessment tool will be used to help raise design quality of new development in the district. Furthermore, the group has considered a report on the proposed arrangements for reporting the draft Regulation 18 Local Plan to members for formal consideration. This final report resulted in the building in of two additional stages in the timetable: an extra LPLG meeting to review the reasonable alternative development options prior to their evaluation; and a series of member briefings and site visits. These extra steps still allow the Council to submit a Local Plan to the government in the summer of 2023.

The Council has also undertaken a technical consultation on the sites submitted to the call for sites with Town and Parish Councils and the promoters of the sites. The purpose of this consultation was to review the plotted site boundaries and to fact check the results from the desktop analysis. The consultation closed on 29 November.

## **Development Management**

The DM Team is still receiving a high level of planning applications. This is not unique to Uttlesford and the trend throughout most Local Planning Authorities is a large surge of planning applications submitted during the current period. These applications in Uttlesford are a combination of large-scale planning applications, and specific application for householder alterations.

Significant strategic sites, specifically at Woodside Way, Great Dunmow, are finally being delivered. This has included some particular infrastructure and technical planning applications, which have been delivered in a timely way through the now established Planning Performance Agreement (PPA) route. Not only will this enhance the Council's delivery of housing, but on this specific site it will also enable the delivery of specific infrastructure including sports pitches, a community centre and a primary school. These features were also all envisaged within the Great Dunmow Neighbourhood Plan.

The Planning Committee has now an established hybrid approach which is working well, although challenging, as the Committee is still required to work under COVID restrictions

On the appeal front, Council has been successful in defending before PINS Inspectors its refusal of significant development proposals in Stansted (Pennington Lane), Stebbing (Bran End) and Elsenham (Bedwell Road).

Planning Enforcement is now recovering from the extended periods of lockdown and a work programme through to Spring 2021 has been established. During this recent period, Enforcement Officers were unable to visit sites and consequently a backlog of cases for investigation have developed. The team is getting to these sites and matters are progressing on these cases. This backlog also extends to some Section 106 Infrastructure matters, where there has been an unavoidable delay in the transfer of public open spaces to parish and town councils. Due to restrictions both in terms of Council Officer operations and the furloughing of personnel within the development companies the resolution of some issues has been delayed. It has taken some time for that element of work type to recover but progress is being and will continue to be made in this area.



**Councillor Petrina Lees,**  
**Portfolio Holder for Housing and Health**  
**Full Council, 7 December 2021**

**Uttlesford - Health & Wellbeing (Communities Team) update**

**Summary**

Detailed below are the new developments/areas of work relating to Health and Wellbeing and the reduction of health inequalities in Uttlesford.

- Uttlesford Health & Wellbeing Board – HW Grants
- Covid related funding – Clinically Extremely Venerable Funding - The Contain Outbreak Management Fund- Health Inequalities working group
- Community Response Hub – Continuation/Review and planning
- Community responders
- Suicide prevention programme- Rural communities
- Falls prevention – Strength and balance remobilisation and expansion and funding confirmation
- Care home/Sheltered Housing West Essex Activity programme
- West Essex Inequalities Group
- Age well – Dementia
- Uttlesford Ramblers Wellbeing Walks
- Staff health and wellbeing

**Detailed update report**

Theme /project	Detail	Partners	Funding	Update
Health and wellbeing funding review and 2021/22 grants	At the HWB meeting in May it was discussed whether annual small grants were the most	All HWB	Uttlesford DC receive in the region of 20K per year to deliver health	Grants went live August 2020 closing date 20 <sup>th</sup> September.

	<p>suitable/effective approach in delivering projects to address health inequalities and deliver projects that impact HWB priorities.</p> <p>A task and finish group were established and discussed the process in depth. The decision was to continue with small grants up to 2K and try to communicate the opportunities more widely beyond HWB partners to try and encourage a wider variety of projects.</p>		<p>improvement projects from ECC. This has been distributed against the core priorities of the board.</p>	<p>15 grant applications were received and 11 projects were rewarded the grants.</p> <ol style="list-style-type: none"> <li>1. Dunmow Stroke Club- Physical Activity</li> <li>2. Touch Point Stansted- Bereavement Café &amp; Support</li> <li>3. Uttlesford Foodbank- Fresh food vouchers</li> <li>4. Great Chesterford Allotment Association</li> <li>5. Volunteer Uttlesford- Dementia Café</li> <li>6. Radwinter Recreation Ground Charity-walking project</li> <li>7. Touch Point – Community Singing Project</li> <li>8. Volunteer Uttlesford – Carers Group</li> <li>9. Stansted Mental Health Initiative CIC, working as ‘Let’s Talk, Stansted!- Men’s Veg Sheds</li> <li>10. Community Callers – Befriending project</li> <li>11. Mind in West Essex - Suicide awareness friends</li> </ol> <p>Total grants awarded to date £14775 1 project is still outstanding (project 10) as budget needs clarifying.</p>
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Theme /project	Detail	Partners	Funding	Update
Community Response Hub	Continued delivery of Hub. Funded by ECC Clinically Extremely Vulnerable funding	UDC, CVSU, Volunteers Uttlesford	Funded via CEV funding ECC	

				<ul style="list-style-type: none"> <li>• 458 request for support September/October</li> <li>• 191 supported to shield</li> <li>• 247 referred onto other support services</li> </ul>
Community Response Hub Community Responders	Community Responders – The Community response hub has received funding from COMF/ECC to recruit 2 Community responders in the district for 1 year. Their primary role and function will be to directly respond and support residents in times of crisis who have been impacted by COVID 19. They will provide a visual, accessible and mobile service in addition to the existing HUB offer with an emphasis on supporting and informing the communities throughout the district as we continue to recover from the impacts of the COVID 19 pandemic.	UDC, CVSU, Volunteers Uttlesford,ECC	Funded via CEV funding ECC Contain the Outbreak Management Fund	Both officers now in place.
Theme /project	Detail	Partners	Funding	Update
Suicide Prevention Programme	UDC in partnership with Farm Fit are developing a suicide	ECC, Farm Fit Little Canfield,	£3k to deliver a pilot project 2021/22	Farms FIT have been successful with their

	prevention and awareness programme for the rural/farming community.			application and will look to start engagement sessions in the new year –UDC will support this project and help with the evaluation.
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Theme /project	Detail	Partners	Funding	Update
<p>Falls prevention- Strength and balance service.</p> <p><b>Social Active Strong</b></p>	UDC has been commissioned from West Essex CCG to develop and deliver a Falls Prevention Programme in the District. This is a partnership agreement with Epping, Harlow & Uttlesford.	West Essex CCG Harlow , Epping, Uttlesford DC, Active Essex , NHS Physio's	<p>Up to £30000- annual funding to deliver the core service.</p> <p>The programme is managed within UDC Communities Team and instructors are employed on a sessional basis.</p> <p>As the funding is reviewed annually we decided against employing an officer to deliver this programme however 2 of the communities' team have been trained</p>	<p>Update funding now guaranteed for 22/23. Total annual grant £29600- Programme is managed by UDC and delivered by sessional workers.</p> <p>Group 1 September 2020- May 2021 <b>16 participants</b> (COVID interrupted)</p> <p>Group 2 May 2021 –August 2021 <b>27 Participants</b></p> <p>Group 3 Started August 2021 – December <b>62 participants</b></p> <p><b>Group 4</b> starting December 42 registered so far (this includes some re admissions for those making slower progress).</p> <p><b>Monday Stansted Day Centre</b></p>

			to deliver sessions as required.	<p>10:45 -11:45  <b>Monday Saffron Walden Cornell Court</b>  12:15 -13:15  13:20-14:20  <b>Thursday Newport</b>  11:30-12:30  <b>Thursday Thaxted</b>  13:00-14:00  <b>Thursday Great Dunmow</b>  13:30-14:30</p> <p><b>Additional transition sessions</b></p> <p><b>Chair Pilates Wednesdays</b>  Saffron Walden Cornell Court  10:30-11:30  11:30-12:30</p> <p>Stansted Day Centre Wednesday  13:00-14:00</p> <p>All sessions are free - You can self-refer or via GP or physio- Sessions are on Frontline</p>
Theme /project	Detail	Partners	Funding	Update
Care home and sheltered Housing activity programme	ECC have funded a programme of activity across West Essex. The funding will provide both direct delivery for 20-25 weeks at between 8-10	Active Essex, Epping DC, Harlow Council	Active Essex COMF funding	Grant of 7K has been confirmed for delivery at 10 centres  1.Four Acres SWALDEN

	locations and also training to try and recruit local instructors as there is currently a shortage.			2.The Broomfield's HATFIELD HEATH 3.Reynolds Court NEWPORT 4.Vicarage Mead THAXTED 5.Hatherley ct, S/WALDEN 6.JDP Court S/WALDEN 7.Walden Place, SWALDEN 8.Norman Court, STANSTED 9.Priors Wood Court, TAKELEY 10.Alan Hasler House, DUNMOW
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Theme /project	Detail	Partners	Funding	Update
West Essex Health Inequalities working group	Contain Outbreak Management Fund	West Essex CCG – Lead Provider – CV's, District Councils,  Harlow, Epping & Uttlesford	£500k of funding in the CCG West Essex region.  Increasing the vaccination uptake Reducing Health Inequalities Reducing the spread.	<ul style="list-style-type: none"> <li>• Mobile Vaccination Deliveries</li> <li>• Wellbeing Connection and Enabling</li> <li>• Vaccination Trackers</li> <li>• Dementia Interpreter E-Learning Course</li> <li>• Let's Get Connected</li> <li>• Supported Volunteering</li> <li>• Community Hub Response</li> <li>• <b>Cook &amp; Eat Programme</b></li> <li>• Living Smart Homes</li> </ul>

				<ul style="list-style-type: none"> <li>• Multi-agency Community Hubs</li> <li>• Multi-agency Community Hub Harlow</li> <li>• Multi-agency Community Hub Epping Forest</li> <li>• Multi-agency Community Hub Uttlesford</li> <li>• Adult Inclusion Lifestyle Project</li> <li>• Parent to Parent Project</li> </ul> <p>NOTE- We are still waiting for an update re-funding for the healthy eating programme as UDC were leading on this and had been given 40K to deliver across West Essex</p>
Agewell – Dementia	Dementia Friends Information sessions were held for UDC Customer Service Staff, Community Policing team, and the public. These sessions are there to raise more awareness about dementia and to work towards becoming a dementia	Uttlesford Dementia Action Alliance		<ul style="list-style-type: none"> <li>• Staff from CSC, community policing team and members of the public have been to the Dementia Awareness sessions.</li> <li>• In the New Year we are looking at having volunteers, councillors,</li> </ul>

	friendly community and organisation			parish councillors, more UDC staff, museum staff and public Dementia Friends Sessions.
Agewell – Dementia	After covid our aim as a group was to re-ignite group activities for people affected by dementia in Uttlesford. We have supported many groups to get going again after covid and also supported different groups with different ambitions i.e. moving the dementia friendly gardening group indoors for the winter months and finding them an affordable venue.	Uttlesford Dementia Action Alliance		<ul style="list-style-type: none"> <li>We now have 9 dementia groups which are up and running in the district currently. We are hoping to add to this in 2022.</li> <li>In the New Year we are hoping to design a booklet, containing all the dementia groups in Uttlesford, to inform residents of what is taking place in the district.</li> </ul>
Agewell – Dementia	Dementia packs containing all dementia friendly groups which are taking place in the district currently, Herbert Protocol, Carers First information etc. These packs will be given out by the community police.	Uttlesford Dementia Action Alliance		<ul style="list-style-type: none"> <li>The community police will be giving out these Dementia Packs from December 2021, once they have been filled.</li> </ul>
Walking for Health	The national scheme is changing from Walking for Health to Ramblers Wellbeing Walks. All current and new	UDC/Ramblers/ Volunteers	£750 from Active Uttlesford Network	<ul style="list-style-type: none"> <li>The walks will continue to be free under the new Ramblers Wellbeing Walks</li> </ul>



	<p>volunteer walk leaders will need this training. The Health improvement officer within the Communities Team has become a cascade trainer so these walks can continue and be covered by insurance by the scheme. The walks will continue to be free to the walkers.</p>			<p>Scheme. We now have 729 walkers under the scheme in Uttlesford and we continue to encourage residents to join these weekly walks for many benefits.</p>
UDC Staff health and wellbeing	<p>We support staff with wellbeing messages through staff newsletters and offer staff to join the Active Essex weekly morning stretch and exercise class before they start work</p>	<p>Workplace champions /comms team</p>		<ul style="list-style-type: none"> <li>• New ways of supporting staff with working from home and dealing with the pandemic are being thought about, with different groups they could join virtually and sharing messages which could help staff during this more difficult time.</li> </ul>

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# Communities, Youth, Public Safety & Emergency Planning portfolio. Report for Full Council - December 2021

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## *Community activity*

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We have hosted a total of 51 Weddings/civil partnerships at the Council Offices this year all under Covid secure conditions.

### Grants

To date we have awarded 96 grants to the voluntary sector and community groups with many more to come through the Ward Members Initiatives grants. I have been asked by Sue Heydon to remind all district councillors not to forget to complete application forms and send them to her.

I would also like to take this opportunity to remind you all that funding will again be available to Voluntary and charitable organisations in Uttlesford. They are urged to apply for funding to help with their costs in providing valuable services to local communities. Last year, we as a district council handed out £330,000, with an additional one-off grant of £53,000 towards Covid expenses, through our Voluntary Sector Provider Contribution Fund scheme. This has now been re-launched for 2022/23 with the process now open for new applications.

Awards will only be made to registered charities whose work fits with the council's own corporate plan priorities, details of which can be found at [www.uttlesford.gov.uk/corporate-plan](http://www.uttlesford.gov.uk/corporate-plan). The grant is for revenue expenditure only and cannot be used towards capital projects such as refurbishment of buildings. The closing date for applications is **midday on Friday 21 January 2022**.

An application form can be downloaded from the council website at [www.uttlesford.gov.uk/voluntary-sector-provider-grant-scheme](http://www.uttlesford.gov.uk/voluntary-sector-provider-grant-scheme), or for further information contact Sue Hayden, Community Development Officer, on 01799 510563 or [shayden@uttlesford.gov.uk](mailto:shayden@uttlesford.gov.uk).

### Day Centres

As many of you will be aware, Covid-19 was instrumental in the district council having to close our day centres. It being part of the precautions during the lockdowns to stop the spread of the virus. As restrictions started to lift it gave us the opportunity to see whether there was scope for them to be better utilised by a wider age group within our communities. Resultant from this, prior to the lockdowns, day centres or as we would prefer to call them - community hubs or drop-in centres, were a corporate service and overseen by that department within the district council. The responsibility has now shifted to the Community and Well-being team.

Quite rightly it was recognised that town and parish councils are better placed to know the needs and wants of their communities, far more so than at district level. This will mean the control and services provided on a day-to-day basis will be managed locally. The Officers in the Community team will be available to support and guide. The district council will step back and effectively be the landlord responsible for the general upkeep of the premises which they own, such as the Rowena Davey Centre in Great Dunmow and at Vicarage Place in Thaxted. We are at present drawing up a management agreement between the district council and

the Board of Trustees in Great Dunmow and the newly formed Community Interest Company (CIC) in Thaxted. I am most grateful to Councillor Tayler for his excellent work in progressing the CIC; not an easy task when starting from scratch.

We are still looking at ways of how the Garden Room and the somewhat limited facilities may become a drop-in centre for use in Saffron Walden. This remains work in progress and with consultation with Saffron Walden Town Council and local councillors.

**Reaching Our Rural Communities project** is now just over the halfway line. The final area this year to be covered will be Felsted/Stebbing and Little Dunmow and will take place on Wednesday 1st December. The project continues to be well received by the farming and rural communities and the Essex Police, Fire & Crime Commissioner has been contacted and is hoping to join officers at a location early next year. Roger Hirst has acknowledged this project as a good practice initiative.

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### *Public Safety matters*

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The Uttlesford Community Safety Partnership (CSP) were instrumental in organising a FREE anti-theft marking event for Catalytic Convertors. The event was held in partnership with SelectaMark and TreadFirst at their premises in Shire Hill, Saffron Walden in October. More than 50 car owners attended, and the component of their vehicles were marked. This initiative took place following an increase in the theft of catalytic convertors across the district. It was an opportunity for the CSP to help reduce this type of crime. A similar event is scheduled to take place on **Sunday 16<sup>th</sup> January 2022**, and this will be advertised from Monday 29<sup>th</sup> November online on Eventbrite for tickets to ensure COVID rules are adhered to.

An amnesty is being run in Uttlesford as part of a national campaign to tackle knife crime. Uttlesford CSP is providing a knife bin where all bladed items that people do not want or should not have can be disposed of safely and without fear of prosecution. The temporary bin will be taken to parishes across the district over the coming weeks - residents should look out for details in the local press, on social media and in parish newsletters. The bin will first be used at the Co-op car park Flich Green from 10.00am to 2.00pm on Wednesday 1 December.

The initiative is part of Operation Sceptre, a coordinated nationwide effort led by police forces to tackle serious violence by reducing the number of knives in circulation. In Uttlesford, the operation is also being used as an opportunity to raise awareness of new legislation which makes it illegal to possess certain weapons in private places, such as homes. This includes items such as knuckledusters, flick knives and telescopic truncheons, basically offensive weapons made for the purpose of causing harm to others.

Whilst knife related crime in Uttlesford is low, we have seen in other parts of the County and Nationally the impact that incidents involving knives can have on victims, their families, and the wider community. It is important to prevent knife crime from happening in the first place. I would urge anyone, including those with ornamental weapons at home who may not be aware of the new legislation, to make use of the amnesty and to dispose of a knife, without the need to divulge the reason they have it, in this safe and secure way. Anyone who wants to surrender a knife should make sure it is fully wrapped up and placed in a secure container before bringing it to the amnesty bin. If anyone is unsure about whether to bring in a knife, they can contact Essex Police on this link for advice [Uttlesford.cpt@essex.police.uk](mailto:Uttlesford.cpt@essex.police.uk)

The legislation on this subject of offensive weapons amends section 141 of the Criminal Justice Act 1988 to make it a criminal offence to possess in private any weapon set out in the Criminal Justice Act 1988 (Offensive Weapons) Order. Since 1988 it has been an offence to manufacture, sell, hire, offer to sell or hire, possess

for the purposes of sale or hire, import, lend or give weapons to which that section applies, and this section makes unlawful the simple possession of these.

In England and Wales, and in relation to this legislation, a private place is a place other than:

- a public place
- school premises
- further education premises, or
- a prison

How does this affect online purchases? Later in the year, you will notice changes to the process of purchasing bladed articles online. These will include:

- You will need to verify you are 18 or over. This may include the use of identity documents, credit checks or age verification systems.
- You cannot have bladed items delivered to a locker or other automated pick-up point.
- Items will be clearly labelled as bladed articles, and those delivering the items may ask you for proof of age.

Be prepared for these changes now to ensure you receive the items you order promptly and without issue, and always ensure you store knives securely at home.

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### *Unauthorised encampments by Travellers*

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The following is a resume of a report submitted by the Rural Engagement Team of Essex Police (RET) at the November meeting of the Essex Countywide Traveller Unit Committee. The report covers the period of January to November this year.

There were **148 Unauthorised Encampments** (141 for the same period in 2020). Of these **14 were moved on by RET under Section 61 of the Criminal Justice and Public Order Act 1994** (39 for the same period in 2020). It would appear the general trend over the last 5 years is that the criminal element of Unauthorised Encampments (UE's) has reduced dramatically.

The Anti-Social Behaviour (ASB) and aggravating factors that bring the National Police Chief's Council (NPCC) guidance into play and allow for the proportionate use of Section 61 are seen with far less frequency. Anecdotally RET officers have been told that Essex has a reputation as having a no-nonsense approach to the management of unauthorised encampments and is best avoided for criminals who live within the nomadic communities.

It is not and an aim of Essex Police to reduce the number of unauthorised encampments in Essex. Their aim is to apply the law consistently, without fear or favour. The NPCC guidance is referred to in all cases to ensure that when Section 61 is used it is proportionate and justifiable. That said, if it is clear where there is justification, Essex Police will have no hesitation to use the powers under this act.

RET have been provided with the latest draft legislation with regards to the 'Statutory guidance for Police on UE's. The aim of this proposal is to "strengthen Police powers to tackle unauthorised encampments. The draft is available for view at: -

<https://www.gov.uk/government/collections/the-police-crime-sentencing-and-courts-bill>

I would stress this document is clearly marked 'DRAFT'. As such the finer points of the police response to an unauthorised encampment, if this bill is passed, would require further guidance and direction from the National Police Chief Council who will undoubtedly provide guidance on the application of the legislation.

To highlight some key points in the draft it seems that the police can make the initial request to vacate the land. It will be required to also evidence that the trespasser who has failed to leave the land has caused or is likely to cause significant damage, disruption or distress. Significant is later defined.

Section 60D provides police the power to remove property on the land and retain it for 3 months or until the conclusion of any criminal proceedings.

A question Essex Police has raised in relation to the draft is that the legislation seems to point towards a person responsible for the offence of damage etc. It is not clear if, as an example, an individual who is causing damage with a quad bike to land whether the whole encampment should be moved on or just the individual.

Section 61 will still be an available power in a strengthened form. It can be used on a highway and allows for a direction to leave to be issued to all trespassers even if just one of their number has, for example, caused damage. Whereas the new act requires issues to be 'significant', the strengthened powers under Section 61 do not. It seems that if there are 6 or more vehicles on the land then S61 can be used without further justification.

The draft also makes mention of the Governments expectation that local authorities assess the need for sites in their area, interesting!

Finally, within this section of my report you may be interested to see the chart below which shows the UE activity in the County. It gives details by district/borough which includes those on the highway and on private land under the local authority heading- total encampments for the period were **167** from January to October (end) 2021.

Basildon <b>33</b>	Braintree <b>13</b>	Harlow <b>3</b>
Colchester <b>23</b>	Uttlesford <b>9</b>	Maldon <b>3</b>
Chelmsford <b>21</b>	Brentwood <b>8</b>	Castle Point <b>2</b>
Tendring <b>19</b>	Thurrock <b>7</b>	
Epping <b>17</b>	Rochford <b>6</b>	

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### *Work in schools*

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Following the tragic death of Sarah Everard earlier this year in South London and the justifiable public outrage concerning violence against women and girls; the Uttlesford CSP has considered ways of how to reduce such crime and essentially contribute towards preventing it from happening. It was agreed our aim would be by way education and to start this by discussion in schools.

Last month, Peter Holt our new Chief Executive was invited to attend with the High Sherriff of Essex a production at the Joyce Frankland Academy, Newport of "The Bruise you cannot see". This was presented by the TicBox theatre group. I too attended this first showing and I know from speaking with Peter Holt he, like me was exceedingly impressed with the way in which this theatre group were able to engage and interact with the students in the workshop activities. It was truly thought provoking. "The Bruise you cannot see" explores the early warning signs of controlling behaviour in teenage girlfriend/boyfriend relationships.

Targeted to Year 10 and upwards, students become part of the story, actively taking part and exploring the early warning signs of unhealthy and abusive behaviour. This leads them to discuss what a healthy relationship looks like. Various forms of abusive behaviour are identified by the actors and the participating students. Finally, they are given guidance on how to access help and support.

The following is a list of the next dates this will be shown in the schools.

10th January at Saffron Walden County High  
12th January at Helena Romanes School, Great Dunmow  
13th January at Helena Romanes School, Great Dunmow  
2nd March at Saffron Walden County High  
6th July at Saffron Walden County High  
7th July at Saffron Walden County High

This has also been offered to Stansted Mountfitchet but at the time of writing this report they have not taken the offer up.

You may recall we were trying to arrange a showing for all district councillors but unfortunately the rules and restrictions in the aftermath of the pandemic have made it virtually impossible to gather all councillors in one location, particularly for the interaction workshop. Therefore, if any Member would like to view a performance, and believe you me it really is well worth viewing, please contact Angi Greneski at [agreneski@uttlesford.gov.uk](mailto:agreneski@uttlesford.gov.uk)

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## Scams

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Uttlesford CSP has been recognised as a partner of **Friends Against Scams** and is currently recruiting Scam Champions. The Scam Champions will then recruit 'Friends' who will assist the CSP in spreading awareness on how to protect each other against this type of crime. If anyone knows of any groups who may like to have an input on how to become a "Friend" please contact [agreneski@uttlesford.gov.uk](mailto:agreneski@uttlesford.gov.uk)

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## Youth

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### Hate Crime

TicBox productions completed a two-day training course [funded by the Youth Initiative Working Group] with 25 year 9 students at Saffron Walden County High School as a follow up to their Diversity day input. These young people are now regarded as Diversity Ambassadors and will work to raise awareness of diversity / hate crime issues in the school. A planned follow up piece of work to connect this group to Police Constable Glenn Braden [Uttlesford Schools Police Officer] has been postponed due to staff illness.

### Youth Council

Existing Youth Council members continue to work with the Climate Change working group and recruit in schools and the community. There has been some interest from different areas across the district, the plan is to hold a meeting early next month to co-opt these young people and get them to do further recruitment

in their schools. Work continues to liaise with schools and further recruit through their teacher/ school council networks.

### Youth Initiatives Working Group

Work is underway to form a YIWG funding committee so that funding bids can be more effectively dealt with in a timely manner. Currently we have a funding balance of £19,819.50 with one outstanding bid of £5,000 from Enterprise East who run the café at Cornell Court in Saffron Walden.

A potential cross locality project in schools has been identified at the Children and Families working group to address concerns with young people's wellbeing. Specific issues to be included, are mental health, drugs & alcohol and safeguarding, specifically county lines.

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### Harper's Law

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I am sure all of you who attended the Full Council meeting held on 8<sup>th</sup> October 2020 will recall the motion which I proposed and to which my good friend Councillor Le Count seconded, whereby it was resolved:

***“requesting the Chief Executive to write to both the Rt. Hon. Robert Buckland QC, Lord Chancellor and Secretary of State for Justice and Priti Patel, Secretary of State for the Home Department outlining the support of this Council for the widow of Police Constable Andrew Harper in calling for a change in the law to ensure a mandatory full life tariff for killers of emergency service workers to ensure they ‘spend the rest of their lives in prison’. The campaign is known as ‘Harpers Law’. We as a Council believe that such a change in the law will allow both offenders and the families of victims to ‘get the justice they rightly deserve’. It will mean that anyone willfully or recklessly killing a police officer, firefighter, prison officer, nurse, doctor, or paramedic who is acting in the course of their duty is jailed for life”.***

As the Cabinet member with a portfolio that includes public safety and in general terms liaison with our police and fire & rescue service, I am now extremely pleased to say that those whom we expect to protect us will receive greater protection themselves from violent criminals after the Government confirmed at the tail end of last month, that ‘Harper’s Law’ would be added to the statute book. This will mean Mandatory life sentences for those who kill an emergency worker in the course of their duty and the change to the law is to be made as soon as possible. This follows the tireless campaigning of PC Andrew Harper’s family. The new law will be named after Police Constable Andrew Harper, who was killed in the line of duty in 2019.

Henry Long, Jessie Cole and Albert Bowers each received custodial sentences of between 13 and 19 years in prison for PC Harper’s manslaughter. An appeal by the Attorney General to increase their time behind bars was rejected. The HM Government website states that Ministers are determined to make sure that punishments fit the severity of the crime and are determined to introduce the law as soon as possible. Essentially the move extends mandatory life sentences to anyone who commits the manslaughter of an emergency worker on duty – including police, prison officers, firefighters and paramedics – while carrying out another crime **unless there are truly exceptional circumstances**. Courts must already impose life sentences for murder, with a whole-life order being the starting point if the victim is a police officer.

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice, Dominic Raab said: We are going to pass into law mandatory life sentences for those who unlawfully kill an emergency worker in the course of their duty. I pay tribute to Lissie Harper’s remarkable campaign. This government is on the side of victims



and their families and we want our emergency services to know that we'll always have their back. Home Secretary, Priti Patel, said: PC Andrew Harper's killing was shocking. As well as a committed police officer, he was a husband and a son. It is with thanks to the dedication of Lissie and his family that I am proud to be able to honour Andrew's life by introducing Harper's Law. Those who seek to harm our emergency service workers represent the very worst of humanity and it is right that future killers be stripped of the freedom to walk our streets with a life sentence. Lissie Harper said: Emergency services workers require extra protection. I know all too well how they are put at risk and into the depths of danger on a regular basis on behalf of society. That protection is what Harper's Law will provide and I am delighted that it will soon become a reality. It's been a long journey and a lot of hard work. I know Andrew would be proud to see Harper's Law reach this important milestone.

The move follows recent government action to protect police, prison officers, firefighters and paramedics and ensure those who seek to harm them feel the full force of the law. This includes plans to double the maximum penalty for assaulting them to two years' imprisonment.

- Henry Long was given a 19-year extended determinate sentence (EDS). This is composed of 16 years in custody (unless his release on licence is ordered by the Parole Board at the two thirds point) and an additional three years on extended licence to bring it to a total of 19 years. Long would be liable to be recalled to custody at any point when he is on probation if he were to reoffend or breach his licence conditions.
- The changes will mean that those who kill an emergency worker while committing an offence will face a mandatory life sentence. The emergency worker does not need to be aware that that offence had taken place or be responding directly to it. **Judges will have the option to impose a different sentence in exceptional circumstances if there are exceptional circumstances which relate to the offender or the offence which would make it unjust to apply the minimum sentence.**
- It will cover those emergency workers as defined in the same way by in the Emergency Workers (Offences) Act 2018 and in section 68 of the Sentencing Code who were acting in the exercise of their functions. This includes police officers, National Crime Agency officers, prison officers, custody officers, firefighters and paramedics.
- The courts must already impose life sentences for murder and the starting point for the murder of a police officer or prison officer acting in the course of their duties for offences on or after 13 April 2015 is a whole life order. The courts can also impose a life sentence for manslaughter.
- The Assaults on Emergency Workers (Offences) Act 2018 introduced a statutory aggravating factor which means judges must also consider tougher sentences for offences such as manslaughter, GBH or sexual assault – if the victim was an emergency worker (this has since been consolidated into the Sentencing Code and can be found in Section 67 of the Sentencing Act 2020).

I thank all fellow councillors who voted to support this motion, because we have many Emergency workers who live and work in this district. It illustrates our support for them and recognises the dangers they can and do face.

### ***Colin Day***

Cabinet Member with the portfolio for  
Communities, Youth, Public Safety, Emergency Planning and liaison  
With the Police, Fire & Rescue Service



**Councillor Louise Pepper,**  
**Portfolio Holder for the Environment and Green Issues; Equalities**  
**Full Council, 7 December 2021**

**Equalities update**

Website has been updated for Black History Month

A timetable/listening event plan is being developed with a consultant to help us learn more about our community.

A survey link was shared with the staff members who have shown an interest in the 'internal EDI Group' that we would like to establish further.

A bid for an EDI budget is being put together which will help to facilitate the above and to allow us to carry on working with the consultant.

We are finalising a programme of events/dates that we will promote through the website/social media.

**Listening Events scheduled for 2022/23**

Proposed themes.

- Jan 18 - Disability
- Mar 15 – Women
- May 12 – Intergenerational
- July 12 – Pride
- Sept – Pregnancy
- Nov – Transgender
- Jan 2023 – Faith/Religion

A number of local organisations supporting residents with disabilities had been approached inviting them to take part in the Listening Event – 18<sup>th</sup> January.

Working alongside Hayley Bennett who facilitated the 1<sup>st</sup> listening event for us, we will be looking at different ways to present these events to encourage participation from as many residents as possible. We will share the findings and the feedback of the event through Cllr Pepper.

A pilot questionnaire/survey had been circulated to staff asking for feedback/suggestions on what they would like to see included as part of a staff Advocacy role and workstream internally going forward – deadline 19<sup>th</sup> November. Feedback and suggestions will be collated and advocates will be identified.

Work on the 2022 Equality Duty will commence in December once the HR data is received. The website will be updated accordingly.

Interfaith week took place 14<sup>th</sup> to 21<sup>st</sup> November 2021 which was had promoted via UDC social media platforms. The aims of the week are to:

Strengthen good inter faith relations at all levels

Increase awareness of the different and distinct faith communities in the UK, in particular celebrating and building on the contribution which their members make to their neighbourhoods and to wider society

Increase understanding between people of religious and non-religious beliefs.

Officers are strengthening their links with ECC and their faith covenant work.

## **Climate report November 2021**

Climate change action plan progress

Progress on the projects in the Climate Change Action Plan continues at a pace and all projects are on track as far as expected for the end of November 2021. Some delays are now anticipated however, following the Scrutiny Committee's November request for all the points in the action plan to be re-represented in a different format, and for the plan to be taken back to Scrutiny Committee in December. This will result in a shift whereby projects scheduled for delivery in March 2022 will now be delivered in April 2022, and projects scheduled for delivery in December 2022 will now be delivered in January 2023.

Some highlights on progress since the last report are:

- Quotes are being sought from active travel engineers to map out our Local Walking and Cycling Infrastructure Plan (LCWIP) for Uttlesford, and we are engaging with neighbouring local authorities to ensure that connections are joined up across boundaries. Having an LCWIP in place will enable us to bid for infrastructure funding from the Department for Transport, and for Levelling Up funding. It will also strengthen our abilities to seek more significant developer contributions towards active travel measures. The eventual goal is to make walking and cycling the mode of transport for half of all journeys within towns, and this is in line with Government ambitions. Our further-reaching goal is even more ambitious and seeks to create safe cycling routes between our towns and villages.
- The active travel survey will be live in a couple of weeks.
- The Clean Air Day communication campaign is being planned.

- The LAD2 grant funding for home insulation measures for low-income households is being delivered across Uttlesford by Warmworks, and we await to hear if we were successful in our bid for the LAD3 round of funding.
- Large scale fact-finding projects are underway to map and define potential area-based decarbonisation projects across the district. The initial (grant-funded) report from Energy Catapult has been received and this maps the potential for mass installations of rooftop-PV. The 3 most concentrated neighbourhoods with potential are in the south of the district and could provide over 2MWh of power. Discussions are under way with ECC and other partners to identify a funding and delivery model that might remove the financial barriers to homeowners wishing to take advantage of solar power.



- Other projects identified by the decarbonisation mapping project include maps of streets in Uttlesford which have mostly on-road parking, which helps us to forecast EV charge point demand and plan delivery of charge points.
- The biodiversity survey is now closed and received over 500 responses which are now being assessed for the most appropriate route of action for each.
- Visits to schools to deliver the waste / education plan will be scheduled when schools are once again accepting non-essential outside visitors.
- Takely Parish Council has put forward some land for tree planting and the landscape officer is drawing up planting plans that are appropriate for the location.

**Councillor Neil Hargreaves,**  
**Portfolio Holder for Finance and the Budget**  
**Full Council, 7 December 2021**

At the last meeting Cllr Gardner from Debden parish council spoke in the public speaking session about a grant application for a new sports pavilion at Debden. The minutes note that 'She invited key members to engage with Debden on these issues'. Her request included members visiting and inspecting the current pavilion. She didn't get any response in the meeting. So as a courtesy I contacted her afterwards as one of the members on the working party which assessed the applications to let her know that, being the nearest working party member, I had been to look before the meeting and so was able to report to the working party.

So this report is just to let members know that Cllr Gardner did get a response from taking the trouble to speak.

Cllr Neil Hargreaves

**Committee:** Council

**Date:**

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

Tuesday, 7  
December 2021

**Report Author:** Tracey Coleman, on behalf of the Leader of Council

[tcoleman@uttlesford.gov.uk](mailto:tcoleman@uttlesford.gov.uk)

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## Summary

1. Following a request from Councillor Barker, this report provides an update on the Planning Committee's decisions since 1<sup>st</sup> 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

### Costs awarded against UDC:

UTT/18/3369/FUL - £4,000; *Note: Overturned Committee Matter. Previously scheme refused by Planning Committee on the same grounds and allowed at appeal. Although appeal dismissed on a very technical highway issue, main reason for costs award was "... LPA persisting in objections to a scheme that a previous Inspector had indicated to be acceptable." Officers did advise Committee of potential costs implications.*

UTT/18/2959/DFO - partial cost still waiting for the agreed amount. *Note: Overturned Committee Matter. Partial award of costs based on refusal based on broadband provision/energy efficiency matters. Inspector considered unreasonable behaviour that these matters could have been secured by condition. The Inspector did not consider that the overturn per se as being unreasonable behaviour. Officers did advise that matter could be handled through condition at the appeal.*

UTT/20/0864/OP - Full award of costs against the Council - £8,651.90 plus VAT - *Note: Overturned Committee Matter. Matter recommended for approval officers with reduced affordable housing provision (20%). Matter supported by viability submission ratified by Council's engaged advisor. No basis does not accept viability argument therefore concluded as unreasonable behaviour. Officers did advise Committee of potential costs implications.*

UTT/18/0460/FUL - Full award of costs against the Council - to be agreed. *Note: High Court Costs awarded against UDC - £16,843.00*

**Officer time/QC/Consultants etc (not Stansted):** Approx. £210,694.75

**Stansted (to 31/10/2021) -** £1,106,165.74

## Background Paper

3. Details of the appeal process can be viewed - Full Council report 16 December 2019 - [Click Here](#)

## Impact

4.

Communication/Consultation	N/A
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
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

## Situation

5. Since 1 May 2019, the Planning Committee has considered 201 applications (see Appendix 1).

Out of these 201 decisions:

- 43 were refused by the Planning Committee against the officer's recommendation.
- To date, the council has received 39 appeals from the Planning Inspectorate relating to decisions made at Planning Committee.

Of the 39 appeals there have been 23 decisions including 1 withdrawn:

- 10 Allowed following overturn at Committee
- 9 Dismiss following overturn at Committee
- 1 Dismissed following Non-Determination
- 2 Dismissed following Committee agreeing with Officer Recommendation for refusal.

## Appendix 1

Reference	Parish	Officer Recommendation	Actual decision	Date of Committee	Appeal Decision
UTT/17/2100/FUL	Great Canfield	APPROVE	APPROVED	05-Jun-19	
UTT/18/3293/FUL	Newport	APPROVE	REFUSED	05-Jun-19	
UTT/19/0673/HHF	Elsenham	APPROVE	APPROVED	05-Jun-19	
UTT/19/0004/FUL	Quendon & Rickling	APPROVE	REFUSED	05-Jun-19	ALLOW
UTT/19/0484/OP	Farnham	APPROVE	APPROVED	05-Jun-19	
UTT/18/3518/FUL	Saffron Walden	APPROVE	APPROVED	05-Jun-19	
UTT/19/0043/FUL	Saffron Walden	APPROVE	APPROVED	05-Jun-19	
UTT/18/2523/FUL	White Roding	APPROVE	APPROVED	26-Jun-19	
UTT/19/0362/FUL	Quendon & Rickling	APPROVE	REFUSED	26-Jun-19	DISMIS
UTT/19/0671/FUL	Thaxted	APPROVE	APPROVED	26-Jun-19	
UTT/19/0311/LB	Quendon & Rickling	APPROVE	APPROVED	26-Jun-19	
UTT/19/0966/FUL	Henham	APPROVE	APPROVED	26-Jun-19	
UTT/19/0946/FUL	Aythorpe Roding	REFUSE	REFUSED	26-Jun-19	DISMIS
UTT/19/0551/FUL	Thaxted	APPROVE	APPROVED	26-Jun-19	
UTT/18/3369/FUL	Clavering	APPROVE	REFUSED	26-Jun-19	DISMIS
UTT/19/0293/FUL	Henham	APPROVE	REFUSED	24-Jul-19	DISMIS
UTT/19/0427/FUL	Barnston	APPROVE	APPROVED	24-Jul-19	
UTT/19/0391/FUL	Newport	APPROVE	REFUSED	24-Jul-19	
UTT/19/0829/FUL	Saffron Walden	APPROVE	APPROVED	24-Jul-19	
UTT/16/3565/OP	Hatfield Broad Oak	APPROVE	REFUSED	21-Aug-19	
UTT/19/1902/TCA	Saffron Walden	NO OBJECTION	NO OBJECTION	21-Aug-19	
UTT/19/0514/HHF	Great Chesterford	APPROVE	APPROVED	21-Aug-19	
UTT/19/0957/FUL	Saffron Walden	APPROVE	APPROVED	21-Aug-19	
UTT/18/3529/OP	Felsted	APPROVE	NON DETERMINATION	21-Aug-19	ALLOW



UTT/19/1389/FUL	Saffron Walden	APPROVE	APPROVED	21-Aug-19	
UTT/19/1115/FUL	Stansted	APPROVE	APPROVED	21-Aug-19	
UTT/18/1827/FUL	Newport	APPROVE	REFUSED	18-Sep-19	DISMIS
UTT/18/2959/DFO	Saffron Walden	APPROVE	REFUSED	18-Sep-19	ALLOW
UTT/18/2297/OP	Saffron Walden	APPROVE	REFUSED	18-Sep-19	DISMIS
UTT/19/0899/FUL	Henham	APPROVE	APPROVED	18-Sep-19	
UTT/19/0900/LB	Henham	APPROVE	APPROVED	18-Sep-19	
UTT/19/1054/OP	Debden	REFUSE	REFUSED	06-Oct-19	DISMIS
UTT/18/2820/FUL	Saffron Walden	APPROVE	APPROVED	16-Oct-19	
UTT/19/1253/FUL	Stansted	APPROVE	APPROVED	16-Oct-19	
UTT/19/1869/HHF	Wendens Ambo	APPROVE	APPROVED	16-Oct-19	
UTT/19/1870/HHF	Wendens Ambo	APPROVE	APPROVED	16-Oct-19	
UTT/19/2398/TCA	Great Dunmow	NO OBJECTION	NO OBJECTION	16-Oct-19	
UTT/19/1583/FUL	Takeley	APPROVE	APPROVED	16-Oct-19	
UTT/19/1995/FUL	Saffron Walden	APPROVE	APPROVED	16-Oct-19	
UTT/19/0761/FUL	Saffron Walden	APPROVE	REFUSED	16-Oct-19	
UTT/19/1725/FUL	Great Chesterford	APPROVE	REFUSED	16-Oct-19	DISMIS
UTT/19/1411/FUL	Littlebury	APPROVE	REFUSED	16-Oct-19	
UTT/19/2451/TCA	Saffron Walden	APPROVE	OBJECT	18-Oct-19	
UTT/18/1027/FUL	Newport	REFUSE	REFUSED	06-Nov-19	
UTT/19/1524/FUL	Hatfield Broad Oak	APPROVE	REFUSED	06-Nov-19	ALLOW
UTT/19/1932/FUL	Broxted	APPROVE	APPROVED	06-Nov-19	
UTT/19/1463/FUL	Thaxted	REFUSE	REFUSED	06-Nov-19	
UTT/18/3399/FUL	Saffron Walden	APPROVE	APPROVED	06-Nov-19	
UTT/19/1527/FUL	Hatfield Broad Oak	APPROVE	REFUSED	06-Nov-19	
UTT/19/1301/FUL	Quendon & Rickling	APPROVE	APPROVED	06-Nov-19	
UTT/19/0437/OP	Elsenham	APPROVE	REFUSED	06-Nov-19	ALLOW

UTT/19/2340/HHF	Stansted	APPROVE	APPROVED	06-Nov-19	
UTT/19/1823/FUL	Saffron Walden	APPROVE	APPROVED	06-Nov-19	
UTT/19/2342/FUL	Stebbing	APPROVE	APPROVED	18-Dec-19	
UTT/19/2545/FUL	Elsenham	APPROVE	REFUSED	18-Dec-19	ALLOW
UTT/19/0476/OP	Stebbing	APPROVE	APPROVED	18-Dec-19	
UTT/19/2022/FUL	Wimbish	APPROVE	APPROVED	18-Dec-19	
UTT/19/2442/FUL	Little Chesterford	APPROVE	APPROVED	18-Dec-19	
UTT/19/2613/NMA	High Easter	APPROVE	APPROVED	18-Dec-19	
UTT/19/2606/LB	High Easter	APPROVE	APPROVED	18-Dec-19	
UTT/19/1864/FUL	Thaxted	APPROVE	APPROVED	15-Jan-20	
UTT/19/1166/OP	Little Canfield	APPROVE	REFUSED	15-Jan-20	APPWIT
UTT/19/2557/FUL	Aythorpe Roding	APPROVE	REFUSED	15-Jan-20	
UTT/19/1064/DFO	Newport	APPROVE	APPROVED	15-Jan-20	
UTT/19/2159/FUL	Hatfield Heath	APPROVE	APPROVED	19-Feb-20	
UTT/19/2355/DFO	Saffron Walden	APPROVE	REFUSED	19-Feb-20	ALLOW
UTT/19/2793/LB	Saffron Walden	APPROVE	APPROVED	19-Feb-20	
UTT/19/0573/OP	Little Chesterford	APPROVE	APPROVED	19-Feb-20	
UTT/19/2993/OP	Henham	APPROVE	APPROVED	19-Feb-20	
UTT/19/2118/OP	Felsted	APPROVE	APPROVED	19-Feb-20	
UTT/19/2809/FUL	Thaxted	APPROVE	APPROVED	19-Feb-20	
UTT/18/3524/FUL	Takeley	APPEAL NON DETERMINATION	NON DETERMINATION	19-Feb-20	DISMIS
UTT/18/3525/LB	Takeley	APPEAL NON DETERMINATION	NON DETERMINATION	19-Feb-20	ALLOW
UTT/19/1802/OP	Great Dunmow	REFUSE	REFUSED	19-Feb-20	
UTT/20/0136/NMA	Little Chesterford	APPROVE	APPROVED	19-Feb-20	

UTT/19/2777/FUL	Stansted	APPROVE	REFUSED	18-Mar-20	DISMIS
UTT/19/2288/FUL	Great Chesterford	APPROVE	APPROVED	18-Mar-20	
UTT/19/2875/FUL	Saffron Walden	APPROVE	APPROVED	18-Mar-20	
UTT/18/2508/OP	Felsted	APPROVE	APPROVED	20-May-20	
UTT/20/0552/TPO	Saffron Walden	APPROVE	APPROVED	20-May-20	
UTT/20/0707/HHF	Saffron Walden	APPROVE	APPROVED	20-May-20	
UTT/20/0670/FUL	Saffron Walden	APPROVE	APPROVED	03-Jun-20	
UTT/19/3068/DFO	Saffron Walden	APPROVE	APPROVED	03-Jun-20	
UTT/20/0672/LB	Saffron Walden	APPROVE	APPROVED	03-Jun-20	
UTT/20/1081/NMA	Saffron Walden	APPROVE	APPROVED	03-Jun-20	
UTT/20/0187/HHF	Newport	APPROVE	APPROVED	03-Jun-20	
UTT/19/3113/OP	Debden	APPROVE	APPROVED	17-Jun-20	
UTT/20/0522/HHF	Wimbish	APPROVE	APPROVED	17-Jun-20	
UTT/19/1508/FUL	Great Dunmow	APPROVE	APPROVED	17-Jun-20	
UTT/20/0029/FUL	Widdington	APPROVE	APPROVED	17-Jun-20	
UTT/20/0386/FUL	Takeley	APPROVE	APPROVED	01-Jul-20	
UTT/20/0757/DFO	Felsted	APPROVE	APPROVED	22-Jul-20	
UTT/20/1143/FUL	Saffron Walden	APPROVE	APPROVED	22-Jul-20	
UTT/20/1306/FUL	Saffron Walden	APPROVE	APPROVED	22-Jul-20	
UTT/19/2852/FUL	Clavering	APPROVE	APPROVED	22-Jul-20	
UTT/20/1108/DFO	Elmdon	APPROVE	APPROVED	22-Jul-20	
UTT/18/2574/OP	Great Dunmow	APPROVE	APPROVED	19-Aug-20	
UTT/20/1529/TPO	Great Chesterford	APPROVE	APPROVED	19-Aug-20	
UTT/19/1219/FUL	Great Dunmow	REFUSE	APPROVED	19-Aug-20	
UTT/20/1685/TCA	Thaxted	NO OBJECTION	NO OBJECTION	19-Aug-20	
UTT/19/2900/DFO	Newport	APPROVE	APPROVED	19-Aug-20	
UTT/19/3124/FUL	Little Easton	APPROVE	REFUSED	19-Aug-20	INPROG

UTT/19/3125/LB	Little Easton	APPROVE	REFUSED	19-Aug-20	INPROG
UTT/19/2354/OP	Great Dunmow	APPROVE	REFUSED	09-Sep-20	INPROG
UTT/20/1082/FUL	Elsenham	APPROVE	APPROVED	09-Sep-20	
UTT/20/1032/HHF	Great Dunmow	APPROVE	APPROVED	09-Sep-20	
UTT/19/0904/OP	Takeley	APPROVE	APPROVED	09-Sep-20	
UTT/20/0765/OP	Takeley	APPROVE	APPROVED	09-Sep-20	
UTT/19/2692/OP	Henham	APPROVE	APPROVED	30-Sep-20	
UTT/19/1437/FUL	Great Dunmow	APPROVE	APPROVED	30-Sep-20	
UTT/20/0028/DFO	Felsted	APPROVE	APPROVED	30-Sep-20	
UTT/20/1270/HHF	Debden	APPROVE	APPROVED	30-Sep-20	
UTT/20/0336/DFO	Great Hallingbury	APPROVE	APPROVED	30-Sep-20	
UTT/19/1585/FUL	Stansted	APPROVE	REFUSED	30-Sep-20	
UTT/20/2158/TCA	Saffron Walden	NO OBJECTION	NO OBJECTION	30-Sep-20	
UTT/20/1603/FUL	Newport	APPROVE	REFUSED	30-Sep-20	ALLOW
UTT/20/0835/FUL	Wimbish	APPROVE	APPROVED	28-Oct-20	
UTT/20/0561/FUL	Aythorpe Roding	APPROVE	APPROVED	28-Oct-20	
UTT/20/1596/OP	Felsted	APPROVE	APPROVED	28-Oct-20	
UTT/20/2284/HHF	Saffron Walden	APPROVE	APPROVED	28-Oct-20	
UTT/20/1711/HHF	Saffron Walden	APPROVE	APPROVED	28-Oct-20	
UTT/20/1208/PIP	High Easter	REFUSE	REFUSED	28-Oct-20	
UTT/20/0083/FUL	Broxted	APPROVE	APPROVED	28-Oct-20	
UTT/20/0084/FUL	Broxted	APPROVE	APPROVED	28-Oct-20	
UTT/20/0864/FUL	Saffron Walden	APPROVE	REFUSED	18-Nov-20	ALLOW
UTT/19/2149/OP	Great Canfield	APPROVE	REFUSED	18-Nov-20	DISMIS
UTT/20/1334/FUL	Newport	APPROVE	REFUSED	18-Nov-20	
UTT/20/1753/FUL	Farnham	APPROVE	REFUSED	18-Nov-20	

UTT/20/2686/TCA	Great Chesterford	NO OBJECTION	NO OBJECTION	16-Dec-20	
UTT/20/1937/FUL	High Easter	APPROVE	REFUSED	16-Dec-20	INPROG
UTT/20/1676/FUL	Wimbish	APPROVE	APPROVED	16-Dec-20	
UTT/20/2169/FUL	Stebbing	APPROVE	REFUSED	16-Dec-20	ALLOW
UTT/20/2624/FUL	Thaxted	APPROVE	APPROVED	20-Jan-21	
UTT/20/2668/TCA	Saffron Walden	NO OBJECTION	NO OBJECTION	20-Jan-21	
UTT/20/2655/DFO	Debden	APPROVE	APPROVED	20-Jan-21	
UTT/20/2450/FUL	Ashdon	APPROVE	APPROVED	17-Feb-21	
UTT/20/0921/DFO	Saffron Walden	APPROVE	APPROVED	17-Feb-21	
UTT/20/2299/FUL	Hatfield Heath	APPROVE	REFUSED	17-Feb-21	INPROG
UTT/20/2541/FUL	Henham	APPROVE	APPROVED	17-Feb-21	
UTT/20/3263/FUL	Great Chesterford	APPROVE	APPROVED	17-Feb-21	
UTT/20/0604/OP	Henham	APPROVE	REFUSED	17-Feb-21	INPROG
UTT/20/2653/FUL	Newport	APPROVE	APPROVED	17-Feb-21	
UTT/20/2220/DFO	Great Dunmow	APPROVE	APPROVED	17-Feb-21	
UTT/20/2009/FUL	Ashdon	APPROVE	REFUSED	17-Feb-21	INPROG
UTT/20/2148/DFO	Little Dunmow	APPROVE	APPROVED	17-Feb-21	
UTT/20/3419/DFO	Great Dunmow	APPROVE	APPROVED	17-Mar-21	
UTT/20/3473/FUL	Wimbish	APPROVE	APPROVED	17-Mar-21	
UTT/19/1744/OP	Saffron Walden	REFUSE	REFUSED	17-Mar-21	
UTT/19/1789/FUL	Little Dunmow	APPROVE	APPROVED	17-Mar-21	
UTT/21/0615/HHF	Chrishall	APPROVE	APPROVED	01-Apr-21	
UTT/19/2266/OP	Ugley	APPROVE	REFUSED	14-Apr-21	DISMIS
UTT/20/2486/FUL	Elmdon	APPROVE	APPROVED	14-Apr-21	
UTT/20/2175/DFO	Saffron Walden	APPROVE	REFUSED	14-Apr-21	INPROG
UTT/21/0410/HHF	Saffron Walden	APPROVE	APPROVED	14-Apr-21	

UTT/20/3016/FUL	Widdington	APPROVE	APPROVED	14-Apr-21	
UTT/20/0422/FUL	Hatfield Heath	APPROVE	APPROVED	14-Apr-21	
UTT/20/0264/OP	Debden	APPROVE	APPROVED	12-May-21	
UTT/21/0079/OP	Felsted	REFUSE	NON- DETERMINATION	12-May-21	INPROG
UTT/21/0692/FUL	Great Hallingbury	APPROVE	APPROVED	12-May-21	
UTT/20/3101/HHF	Great Dunmow	APPROVE	APPROVED	12-May-21	
UTT/20/2639/OP	Clavering	APPROVE	APPROVED	12-May-21	
UTT/20/1744/FUL	Great Dunmow	APPROVE	REFUSED	09-Jun-21	LODGED
UTT/20/3226/FUL	Great Sampford	APPROVE	APPROVED	09-Jun-21	
UTT/21/1147/HHF	Stansted	APPROVE	APPROVED	09-Jun-21	
UTT/20/2601/HHF	Great Canfield	APPROVE	APPROVED	09-Jun-21	
UTT/21/0757/DFO	Felsted	APPROVE	APPROVED	09-Jun-21	
UTT/20/0050/FUL	Takeley	REFUSE	REFUSED	07-Jul-21	VALID
UTT/20/0051/LB	Takeley	APPROVE	APPROVED	07-Jul-21	
UTT/20/2757/FUL	Newport	APPROVE	REFUSED	07-Jul-21	VALID
UTT/21/0009/DFO	Henham	APPROVE	APPROVED	07-Jul-21	
UTT/20/1866/FUL	Broxted	REFUSE	REFUSED	07-Jul-21	
UTT/21/0320/FUL	Hatfield Broad Oak	APPROVE	APPROVED	07-Jul-21	
UTT/21/1117/FUL	Stansted	APPROVE	APPROVED	07-Jul-21	
UTT/21/0264/FUL	Newport	APPROVE	REFUSED	07-Jul-21	
UTT/21/0405/FUL	Little Canfield	APPROVE	APPROVED	07-Jul-21	
UTT/20/3401/HHF	Takeley	APPROVE	APPROVED	08-Jul-21	
UTT/20/2784/FUL	Takeley	APPROVE	REFUSED	08-Jul-21	
UTT/21/1291/HHF	Saffron Walden	APPROVE	APPROVED	08-Jul-21	
UTT/21/0333/OP	Stebbing	REFUSE	REFUSED	04-Aug-21	VALID
UTT/21/1108/FUL	Thaxted	REFUSE	REFUSED	04-Aug-21	

UTT/21/1811/HHF	Arkesden	REFUSE	REFUSED	04-Aug-21	VALID
UTT/21/1812/LB	Arkesden	REFUSE	REFUSED	04-Aug-21	VALID
UTT/20/3354/FUL	Saffron Walden	APPROVE	APPROVED	04-Aug-21	
UTT/21/0507/FUL	Great Canfield	APPROVE	APPROVED	04-Aug-21	
UTT/21/1870/TCA	Hempstead	NO OBJECTION	NO OBJECTION	04-Aug-21	
UTT/21/1855/OP	Wimbish	APPROVE	APPROVED	01-Sep-21	
UTT/21/2113/FUL	Great Chesterford	APPROVE	APPROVED	01-Sep-21	
UTT/21/2114/FUL	Great Chesterford	APPROVE	APPROVED	01-Sep-21	
UTT/20/2632/FUL	Newport	APPROVE	APPROVED	01-Sep-21	
UTT/20/1929/OP	Great Dunmow	REFUSE	REFUSED	29-Sep-21	
UTT/20/3415/FUL	Saffron Walden	APPROVE	APPROVED	29-Sep-21	
UTT/20/3416/LB	Saffron Walden	APPROVE	APPROVED	29-Sep-21	
UTT/21/1550/HHF	Little Hallingbury	APPROVE	APPROVED	29-Sep-21	
UTT/21/2501/FUL	Henham	APPROVE	APPROVED	29-Sep-21	
UTT/21/2465/DFO	Saffron Walden	APPROVE	APPROVED	29-Sep-21	
UTT/21/1708/OP	Little Easton	REFUSE	REFUSED	27-Oct-21	
UTT/21/1994/FUL	Strethall	APPROVE	APPROVED	27-Oct-21	
UTT/21/1495/FUL	Little Easton	APPROVE	DEFER	27-Oct-21	
UTT/20/2007/FUL	Saffron Walden	APPROVE	APPROVED	27-Oct-21	
UTT/21/2629/FUL	Saffron Walden	APPROVE	REFUSED	27-Oct-21	

# Agenda Item 5

**Committee:** Full Council

**Date:**

**Title:** Review of pilot scheme Rule 2.4: Time permitted for questions to the Executive and Committee Chairs

Tuesday, 7  
December 2021

**Report Author:** Ben Ferguson, Democratic Services Manager  
[bferguson@uttlesford.gov.uk](mailto:bferguson@uttlesford.gov.uk)

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## Summary

1. At the Annual Council meeting held on 18 May 2021, Members approved a pilot scheme in relation to [Rule 2.4 – ‘Time permitted for questions to the executive and Committee Chairs’](#) at Full Council meetings.
2. It was agreed to trial the scheme for two Full Council meetings. The scheme was trialled at the meeting held on 20 July 2021, and was trialled for a final time at the meeting on 5 October 2021. Across the two meetings, eighteen substantive questions (fourteen written questions and four urgent oral questions) were asked of executive members, followed by a further nine questions of clarification.
3. At the [Governance, Audit and Performance Committee \(GAP\) meeting held on 28 September](#), Members agreed to establish a Task & Finish Group to review the pilot scheme and make a final recommendation to GAP regarding Rule 2.4. The Task & Finish Group met on 8 November.
4. At the GAP Committee meeting held on 22 November 2021, the Committee considered the report and recommendation of the Task and Finish Group (Appendices B and C). The Task & Finish Group’s proposal was endorsed by the Committee and recommended to Full Council for approval.
5. The GAP Committee were specifically asked to decide whether written responses to questions that could not be answered at the meeting should be provided within 5 or 10 working days. The Committee opted for 5 working days, where possible.

## Recommendations

6. That the Constitution be amended in regards to Rule 2.4 of the Council Procedure Rules and the associated protocol as set out in Appendix A to this report.

## Financial Implication

7. None.

## Background Papers

8. [Full Council report considered on 18 May 2021 and appendices \(Item 14\).](#)
9. [Governance, Audit and Performance Committee report considered on 28 September](#)



## Impact

10.

Communication/Consultation	<p>The Task &amp; Finish Group initially met on 26 February to discuss the options available. Their proposals were subsequently considered and recommended for approval by both GAP and Full Council.</p> <p>A further Task &amp; Finish Group met on 8 November to consider the pilot scheme and to make final recommendation to GAP. GAP has accepted the proposal and recommends the attached Rule 2.4 to Full Council for approval.</p>
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	Notice of questions will allow for advance consideration of any legal implications.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The workplace impact of collating written questions and answers will continue to be monitored.

## Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
That the current Rule provides elected members insufficient time to ask questions of the executive and Committee Chairs.	3	3	To extend question time to 30 minutes as recommended.

That the pilot scheme is not fit for use at UDC and/or incompatible with the culture at UDC.	3	3	The scheme has been piloted for two trial meetings and views and comments have been collated. The scheme has been reviewed by the Task and Finish Group and minor improvements have been recommended.
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## **Appendix A – Rule 2.4**

### **2.4.**

***For a period not exceeding 30 minutes for the Leader, members of the executive and Chairs of committees to receive questions from members, to permit the Leader, members of the executive or Chairs to reply and for the questioner to ask a question of clarification but without any debate on the issues raised, in accordance with the protocol for Member Questions to the Executive and Committee Chairs at Council meetings contained in Part 5 of the Constitution;***

### **Protocol for Member Questions to the Executive and Committee Chairs at Council meetings**

#### **1. Written questions asked by Members of the Council**

Members will be required to submit their questions in writing to Democratic Services before 10:00am eight working days before the Council meeting. The questions should be concise and indicate to whom the question is directed (the Leader, a Cabinet Member or a Chair of a Committee). The question should relate to any matter in respect of which the Council has powers or duties. The written question will be published with the agenda for that meeting in the order in which the questions were received, unless the Chief Executive, Monitoring Officer and/or Section 151 Officer considers the question should be restricted in accordance with the rules applicable to access to information procedures.

No amendments are permitted to questions once they have been published, unless they are put forward by the questioner for the purpose of clarification, and members can withdraw their questions but may not substitute them.

Responses to these questions will be provided in writing and circulated to all Members no later than 10.00am on the working day before the meeting.

#### **1.1. Clarification question**

If after a reply is given to a written question the Member who asked the question considers that the reply requires clarification, they may ask once for clarification but otherwise no supplemental questions will be permitted except by leave of the Chair.

If the Member who asked the question considers that the reply requires clarification, but are unable to ask due to lack of time, they may submit their clarification question in writing to Democratic Services before 5.00pm on the day following the meeting. The question of clarification will be put to the relevant Chair or Cabinet Member and a written response will be circulated with all Members and published on the Council's website within 5 working days of the meeting where possible.

#### **1.2 Restriction on number of questions**

The number of written questions which may be asked by any one Member at any one meeting will be limited to two.

### **1.3 Urgent oral questions**

A Member may put an oral question to Cabinet Members and Committee Chairs regarding any urgent matter that has arisen in the 8 working days preceding the meeting, subject to obtaining the consent of the Chair of Council. The question should be provided in writing to Democratic Services, and copied to the relevant member from whom a response is requested, no later than 9.00am on the day of the meeting, where possible.

Urgent questions permitted by the Chair will be taken before all other questions.

### **1.4 Form of answer to oral questions and questions of clarification**

An answer may take the form of:

- (i) a direct oral answer; or
- (ii) where the desired information is contained in a publication of the Council, a reference to that publication; or
- (iii) where the Chief Executive considers that the reply to the question can conveniently be so given, by a written answer circulated to the Members of the Council present at the meeting.
- (iv) where a reply cannot be provided at the meeting itself, a written answer will be circulated to all Members of the Council and published on the website within 5 working days where possible.

### **1.5 Time permitted**

The time allotted at each meeting for the putting and answering of questions under this paragraph shall not exceed 30 minutes, without the leave of the Chair of the Council.

### **1.6 Exceptions**

Questions will not be permitted at Annual Council or budget setting meetings.

## Appendix B

<b>Committee:</b>	Governance, Audit and Performance Committee	<b>Date:</b>	Monday, 22 November 2021
<b>Title:</b>	Review of pilot scheme Rule 2.4: Time permitted for questions to the Executive and Committee Chairs		
<b>Report Author:</b>	Ben Ferguson, Democratic Services Manager <a href="mailto:bferguson@uttlesford.gov.uk">bferguson@uttlesford.gov.uk</a>		

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### Summary

1. At the Annual Council meeting held on 18 May 2021, Members approved a pilot scheme in relation to [Rule 2.4 – 'Time permitted for questions to the executive and Committee Chairs'](#) at Full Council meetings.
2. It was agreed to trial the scheme for two Full Council meetings. The scheme was trialled at the meeting held on 20 July 2021, and was trialled for a final time at the meeting on 5 October 2021.
3. At the [Governance, Audit and Performance Committee \(GAP\) meeting held on 28 September](#), Members agreed to establish a Task & Finish Group to review the pilot scheme and make a final recommendation to GAP regarding Rule 2.4.
4. The Task & Finish Group was composed of Councillors Driscoll, Emanuel and Khan. A fourth member was not appointed.
5. The Task & Finish Group considered a report summarising comments received regarding the pilot scheme and the headline areas to be reviewed. The report is attached as Appendix B.
6. Headline areas for review included:
  - a. The provision of supplementary questions instead of clarification questions.
  - b. Whether a formal mechanism is required that allows follow-up questions to be asked/published if they are not reached within the 30 minutes.
  - c. To allow questions on matters that have occurred on the day of the meeting. Currently, 9.00am on the day off the meeting is the cut-off for urgent questions.
  - d. Whether non-urgent oral questions are to be permitted, alongside written questions.
7. The Task & Finish Group met on 8 November 2021. A summary of their comments can be found in the background section of this report.

8. The Group considered the piloted Rule 2.4 and associated protocol and have made a recommendation to GAP. The amended Rule and protocol have been attached as Appendix A. Tracked changes have been left on to highlight the changes proposed.
9. The Group recommends that a mechanism be introduced to incorporate written responses to urgent oral and clarification questions that are not answered at the meeting itself. GAP are asked to determine whether written responses should be published within 5 or 10 working days after the meeting has taken place.
10. GAP are asked to recommend the revised Rule and protocol to Full Council. The recommendation will be brought to the Full Council meeting on 7 December 2021.

### Recommendations

11. That the Committee recommends to Council that the Constitution be amended in regards to Rule 2.4 of the Council Procedure Rules and the associated protocol as set out in Appendix A to this report, subject to resolving whether written answers be provided after the meeting within 5 or 10 working days.

### Financial Implication

12. None.

### Background Papers

13. [Full Council report considered on 18 May 2021 and appendices \(Item 14\).](#)
14. [Governance, Audit and Performance Committee report considered on 28 September](#)

### Impact

- 15.

Communication/Consultation	The Task & Finish Group initially met on 26 February to discuss the options available. Their proposals were subsequently considered and recommended for approval by both GAP and Full Council.  A further Task & Finish Group met on 8 November to consider the pilot scheme and to make final recommendation to GAP.
Community Safety	None
Equalities	None
Health and Safety	None

Human Rights/Legal Implications	Notice of questions will allow for advance consideration of any legal implications.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The workplace impact of collating written questions and answers will continue to be monitored.

## Background

16. The Task & Finish Group met on 8 November to discuss the draft Rule and protocol. There was complete agreement between the three Members that the pilot scheme was an improvement on the previous Question Time procedure and that minor revisions were needed, rather than full scale changes.
17. Specifically, there was support for the written question and answer aspect of the procedure, as the Group felt that the quality of answers provided at Full Council had greatly improved and there were fewer questions that required answering outside of the meeting.
18. It was understandable that the piloted scheme had worked far better at the second trial meeting on 5 October as Members had become more familiar with the process.
19. Members discussed the headline areas for review relating to the pilot scheme.
20. **The provision of supplementary questions instead of clarification questions** – the Group considered the issue of follow-up questions and whether there was a need to permit any supplementary question, as opposed to a question of clarification relating to the written response as currently allowed. There was a consensus that the Rule on questions of clarification should remain unchanged; providing notice of questions had led to informed and detailed answers but, by permitting follow up questions that were not related to the written response, there was a risk of going back to a situation whereby a high number of answers would be provided after the meeting had taken place. This was of no benefit to the public and follow up questions should continue to be limited to questions of clarification.
21. **Whether a formal mechanism is required that allows follow-up questions to be asked/published if they are not reached within the 30 minutes** – the Group considered whether a formal mechanism should be put in place to deal with questions of clarification that had not been reached within the 30 minutes designated for Question Time. Members agreed that a mechanism should be introduced and the amendment can be found at point 1.1. Appendix B. In short, questions of clarification which were not reached within the 30 minutes could be submitted the day following the meeting. Written responses would then be circulated and published on the website within 5 or 10 working days. The Group asks GAP to decide on whether answers should be provided within 5 or 10 working days. During this discussion, the Group also requested that the same mechanism be extended to any response that could not be given at the meeting itself. The amendment can be found at clause iv point 1.4. Appendix B.

22. **To allow questions on matters that have occurred on the day of the meeting. Currently, 9.00am on the day of the meeting is the cut-off for urgent questions** – the current scheme stipulates that urgent oral questions need to be provided no later than 9.00am on the day of the meeting. The Group discussed this issue and agreed it was conceivable that matters could arise on the day of a meeting which would warrant a question at Full Council. The Group hoped such cases would be extremely rare and were reassured that the Chair had a role in consenting to urgent questions. Therefore, the Group agreed to allow scope for late questions where it was not possible to anticipate the question before the deadline of 9.00am on the day of the meeting. The amendment can be found at point 1.3 Appendix B.
23. **Whether non-urgent oral questions are to be permitted, alongside written questions** – the Group discussed the issue of whether oral questions should be permitted alongside written questions and the consensus was that they would not add any value to the current process. There was already a provision for urgent oral questions and oral questions of clarification, which provided a degree of dynamism during Question Time, but the priority should be ensuring that well informed and detailed answers were produced in the public interest. The point was raised that the written question procedure would become redundant if non-urgent oral questions were re-introduced.

## Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
That the current Rule provides elected members insufficient time to ask questions of the executive and Committee Chairs.	3	3	To extend question time to 30 minutes as recommended.
That the pilot scheme is not fit for use at UDC and/or incompatible with the culture at UDC.	3	3	The scheme has been piloted for two trial meetings and views and comments have been collated. The scheme has been reviewed by the Task and Finish Group and minor improvements have been recommended.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.



3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## Appendix C –Task & Finish Group report

<b>Committee:</b>	Task & Finish Group – Rule 2.4	<b>Date:</b>	8 November 2021
<b>Title:</b>	Review of pilot scheme Rule 2.4: Time permitted for questions to the Executive and Committee Chairs		
<b>Report Author:</b>	Ben Ferguson, Democratic Services Manager <a href="mailto:bferguson@uttlesford.gov.uk">bferguson@uttlesford.gov.uk</a>		

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### Summary

1. At the Annual Council meeting held on 18 May 2021, Members approved a pilot scheme in relation to [Rule 2.4 – ‘Time permitted for questions to the executive and Committee Chairs’](#) at Full Council meetings. The amended rule and accompanying protocol can be found at Appendix B.
2. It was agreed to trial the scheme for two Full Council meetings. The scheme has been trialled at the meetings held on 20 July 2021 and 5 October 2021.
3. Members’ comments have been received relating to the trial. A summary of member comments relating to the Rule 2.4. pilot scheme have been attached at Appendix A. Comments range from agreement with the piloted scheme, to those that feel it constrains a ‘dynamic’ question and answer session.
4. In light of such comments, it is possible that the pilot scheme will not be approved in its current form following the end of the trial. Therefore, the Task & Finish has been re-established in order for a report to be prepared for the Governance, Audit and Performance Committee’s (GAP) consideration on 22 November 2021.
5. Headline areas for review include:
  - a. The provision of supplementary questions instead of clarification questions.
  - b. Whether a formal mechanism is required that allows follow-up questions to be asked/published if they are not reached within the 30 minutes.
  - c. To allow questions on matters that have occurred on the day of the meeting. Currently, 9.00am on the day of the meeting is the cut-off for urgent questions.
  - d. Whether non-urgent oral questions are to be permitted, alongside written questions.
6. Any recommendations arising from the GAP Committee meeting on 22 November will be taken to the Full Council meeting on 7 December 2021.

### Recommendations

Appendix C – Task & Finish Group report

- 7. The Task and Finish Group is recommended to:
  - I. To consider member comments in relation to the trial scheme of Rule 2.4 and the headline areas for review.
  - II. In light of such consideration, to determine whether the piloted Rule 2.4 and the associated protocol require amendment.
  - III. To finalise a recommendation to GAP Committee in respect of Rule 2.4 and the associated protocol.

**Financial Implication**

8. None.

**Background Papers**

- 9. [Full Council report considered on 18 May 2021 and appendices \(Item 14\).](#)
- 10. [GAP Committee report - 28 September 2021](#)

**Impact**

11.

Communication/Consultation	The Task & Finish Group initially met on 26 February to discuss the options available. Their proposals were subsequently considered and recommended for approval by both GAP and Full Council. Any recommendation arising from this Task and Finish Group will again be considered by both GAP and Full Council.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	Notice of questions will allow for advance consideration of any legal implications.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The workplace impact of collating written questions and answers will continue to be monitored.

## Background

### Headline Areas for Review:

12. **The provision of supplementary questions instead of clarification questions** – Members may wish to consider the re-introduction of supplementary questions to the protocol. During the meeting of 20 July 2021, there was some confusion over what constituted a ‘question of clarification’ – by definition, the scope of such questions are limited to clarifying the content of the response. A supplementary question would be less constrained. This may satisfy Members who have called for a more ‘dynamic’ question and answer session. Equally, Members may feel that the procedure was better understood at the meeting of 5 October 2021 and that, by removing the ‘ambush’ nature of supplementary questions, the answers were better informed and more detailed by virtue of having had advance notice of the question.
13. **Whether a formal mechanism is required that allows follow-up questions to be asked/published if they are not reached within the 30 minutes** – The pilot scheme currently has no mechanism to deal with questions that have not been dealt within the 30 minutes’ limit. As written answers are published the day before in response to substantive questions, this issue is only in relation to ‘follow-up’ questions (currently, only questions of clarification are permitted but you may recommend that all supplementary questions are to be allowed). A potential solution is to incorporate the following wording into the protocol,
- “In the event that it is not possible to ask a question of clarification due to lack of time, such questions will be put to the Leader, Chair or relevant Portfolio Holder in writing after the meeting. A written answer to the question will be produced and circulated to all Members.”***
- Alternatively, Members may feel that 30 minutes is sufficient and, as the substantive questions will have been answered in writing, there is no need to introduce a specific mechanism to deal with questions of clarification that have not been asked within the time limit.
14. **To allow questions on matters that have occurred on the day of the meeting. Currently, 9.00am on the day of the meeting is the cut-off for urgent questions** – The current scheme stipulates that urgent oral questions need to be provided no later than 9.00am on the day of the meeting. As it is conceivable that matters will arise on the day of a meeting, it is recommended to allow scope for late questions where it was not possible to anticipate the question before the deadline. As the Chair has a role in consenting to the urgent question, it is suggested to amend the protocol to the following (additional wording ‘***where possible***’):

*A Member may put an oral question to Cabinet Members and Committee Chairs regarding any urgent matter that has arisen in the 8 working days preceding the meeting, subject to attaining the consent of the Chair of Council. The question should be provided in writing to Democratic Services, and copied*

*to the relevant member from who a response is requested, no later than 9.00am on the day of the meeting **where possible.***

**15. Whether non-urgent oral questions are to be permitted, alongside written questions**

– There has been some demand for non-urgent oral questions to be asked alongside written questions, in order to provide a more ‘dynamic’ question and answer session at Full Council. One of the primary motivators for introducing advanced notice of written questions was to facilitate the conditions required to give well-informed and detailed answers at Full Council. Furthermore, there was a consensus at the previous T&F Group meeting that question time at Council was antagonistic and the working environment might be improved if the ‘ambush/surprise’ element of questions was removed. Members are asked to consider the pros and cons of non-urgent questions and whether a mechanism is to be added to the protocol. If so, Members may wish to consider how non-urgent oral questions integrate with written and urgent questions e.g. are non-urgent oral questions to be taken after all other questions have been dealt with? If non-urgent questions are not heard in the 30 minutes, are they to be asked in writing after the meeting?

**Next steps**

16. The Task and Finish Group are asked to consider and discuss these headline topics and to reach agreement on the final version of rule 2.4 to be presented to GAP Committee in November. Comments arising from the discussion will be incorporated into the draft GAP report, including the finalised protocol, and will be circulated for the Task & Finish Group’s review before it is published with the Committee’s next agenda.

**Risk Analysis**

17.

Risk	Likelihood	Impact	Mitigating actions
That the pilot scheme is not fit for use at UDC and/or incompatible with the culture at UDC.	3	3	Consider member feedback on the pilot scheme and amend as appropriate.

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 7 December 2021

### Written Questions to Members of the Executive and Committee Chairs

#### Answers to be published on 6 December 2021

**1. By Councillor Barker to Councillor Lees, Portfolio Holder for Housing and Health**

“Members will be aware that it looks increasingly likely that Private Landlords will need to have their properties reaching an EPC level C or above for any new lettings from 2025 and existing lettings by 2028. With around 3000 privately let properties in Uttlesford what work is being undertaken to understand the impact that this could have on vulnerable residents in the District?”

**2. By Councillor Smith to Councillor Pepper, Portfolio Holder for Environment and Green Issues; Equalities:**

“The latest bulletin from the Essex Association of Local Councils (EALC) has highlighted that Essex County Council have launched a litter picking campaign that our neighbouring authorities including Braintree and Chelmsford, have signed up to. What steps are the Portfolio Holder and the Administration taking to engage positively with ECC and sign up to this scheme to support the communities represented by our Town and Parish Councils in keeping our towns and villages tidy?”

**3. By Councillor Smith to Councillor Armstrong, Portfolio Holder for Sports, Leisure, Education and the Arts:**

“Cllr Armstrong has a rather broad Cabinet remit with responsibilities including some areas where the Council has neither a direct involvement or even statutory responsibility. Could he provide an update in respect of the following:

- The opening of the Carver Barracks Running Track
- The faring of 1Life businesses in the district
- His accomplishments within the remit of Education
- His objectives for the remaining 18 months of his term.”

**Committee:** Council

**Date:** Tuesday, 7  
December

**Title:** Appointment of a Returning Officer (RO),  
Electoral Registration Officer (ERO) and  
Deputy Electoral Registration Officers (DERO)

**Report Author:** Jane Reynolds Assistant Director Governance  
and Legal and Monitoring Officer.

[jreynolds@uttlesford.gov.uk](mailto:jreynolds@uttlesford.gov.uk)

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## Summary

1. The Monitoring Officer took an urgent decision on 28<sup>th</sup> October 2021 in consultation with the Chairman of the Council in order to appoint Mr Peter Holt CEO to the roles of RO and ERO and Mr Adrian Webb and Mr Philip Hardy to the roles of Deputy ERO.
2. The RO and ERO functions were not referenced in the report when Council resolved to appoint Mr Peter Holt on 9<sup>th</sup> September 2021. The functions have traditionally sat with the CEO post holder.
3. The decision was taken under urgency measures as the situation needed prompt rectification and could not be delayed until the next scheduled Council meeting on 7<sup>th</sup> December 2021.

## Recommendations

4. Council to note the urgent decision attached in Appendix 1.

## Financial Implications

3. N/A

## Background Papers

5. None.

## Impact

- 6.

Communication/Consultation	N/A
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A

Human Rights/Legal Implications	The Council must have lawfully appointed RO and ERO.
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	Nil as roles are part of already established posts.

**Situation**

7. See Appendix 1.

**Risk Analysis**

8.

Risk	Likelihood	Impact	Mitigating actions
3 - Risk of not taking the urgent decision was significant. Should an election have been called or any duties falling the ERO have arisen then there would not have been lawfully appointed officers to act.	The likelihood of the risk was occurring was 2 to 3.	The impact of had the risk arisen would be high 4.	Decision has been taken and Officers lawfully appointed.

- 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

### NOTICE OF DECISION TO BE TAKEN BY ASSISTANT DIRECTOR GOVERNANCE AND LEGAL AND MONITORING OFFICER on 27 OCTOBER 2021

The Assistant Director of Governance and Legal and Monitoring Officer intends to make the following decision on: Appointment of an Electoral Registration Officer and Deputies and a Returning Officer.

Reasons for Urgency: These appointments were not made when the new CEO was appointed. They are Council appointments, which need to be put in place with immediate effect and the next Council meeting is not until 7<sup>th</sup> December 2021.

Decision	Decision Maker	Date of Decision	Brief information about the item and details of documents submitted for consideration	Contact officer from where the documents can be obtained
<p style="text-align: right; margin-right: 5px;">Page 73</p> <p>I. To appoint Mr Peter Holt CEO as Retuning Officer (RO) to the Council.</p>	Jane Reynolds, Assistant Director - Governance and Legal and Monitoring Officer	28 October 2021	<p><b><u>1. Appointment of a Returning Officer (RO) District and Parish Elections</u></b></p> <p><b><u>District &amp; Parish Council</u></b></p>	Jane Reynolds - Assistant Director Governance and Legal and Monitoring Officer <a href="mailto:Jreynolds@uttlesford.gov.uk">Jreynolds@uttlesford.gov.uk</a>
<p>II. To appoint Mr Peter Holt CEO as Electoral Registration Officer (ERO) to the Council.</p>			<p>Section 35(1) Representation of the People Act 1983 (the Act) requires the Council to appoint an officer of the Council to be the Returning Officer (RO) in local elections (district and parish).</p> <p>It is the RO's duty to organise and conduct elections.</p>	
<p>III. To appoint Mr Adrian Webb Director of Finance and s151 Officer and Mr Philip Hardy Electoral Services Manager to</p>			<p>The RO is an officer of the Council, and the role of RO is an also personal responsibility, independent and separate from their duties as an employee of the Council.</p> <p>Although the term "Returning Officer" is used to describe the individual responsible for the overall conduct of District and</p>	

the role of Deputy ERO.

- IV. That authority be given to the AD Governance and Legal and MO to make any corresponding amendments to the Constitution

Page 74

Parish Elections within a Local Government District, there are in fact a number of other Elections the RO may be called upon to act in which are outlined below:

**Parliamentary Elections**

As an Acting RO. The role involves administering the process dependent upon the type of constituency and is carried out by the relevant ERO (see further below).

**County Elections**

As a Deputy RO. In this case the appointment is made under delegation from RO of the Authority conducting the County election.

**National Referendums**

The Chairman of the Electoral Commission or a person appointed by them acts as Chief Counting Officer at national referendums. The Chief Counting Officer appoints a Counting Officer for each local authority area. Although not specified, the appointment normally rests with the RO for district council or London borough elections.

**Local Authority Referendums**

Executive arrangements

In England, the RO for district council or London borough elections is responsible as Counting Officer for the administration of any referendum required under the Local Government Act 2000 (as amended) relating to the executive governance of the authority.

**Council tax referendums and Neighbourhood planning referendums**

The RO for district council or London borough elections is responsible as Counting Officer for the administration of any referendum required under the Local Government Finance Act 1992 (as amended) relating to an "... excessive council tax increase by a local precepting authority ...".

The RO for district council or London borough elections is responsible as Counting Officer for the administration of any referendum required under the Town and Country Planning Act 1990 (as amended) relating to neighbourhood planning.

**Parish and Community polls**

Where at a meeting or a parish or community a resolution is passed calling for a poll, the chairman of the meeting is required to notify the relevant district council or London borough. That authority must then appoint "... an officer of the council to be returning officer". Although not specified, the appointment normally rests with the RO appointed by the district council or London borough for parish or community council elections.

Section 35 (4) of the Act states "the returning officer at any election mentioned in subsections (1) ..... above may by writing under his hand appoint one or more persons to discharge all or any of his functions ie appoint a Deputy.

**Appointment of the RO is by law a Council function and the RO can appoint his Deputies by written delegation.**

**2. Appointment of an Electoral Registration Officer (ERO)**

In England, every district council and London Borough is required to appoint “an officer of the council to be [electoral] registration officer for any constituency or part of a constituency ... situated in the [local authority area]. Section 8(1) and (2), Representation of the People Act 1983.

Section 52 (2) of the Act states “any of the duties and powers of a registration officer (here in this section of the Act this means ERO) may be performed and exercised by any deputy for the time being approved , by the council which appointed the registration officer, and the provisions of this Act apply to any such deputy so far as respects any duties or powers to be performed or exercised by him as they apply to the registration officer.

It is important to note that the ERO also discharges the responsibilities of **Acting RO (above)** at UK Parliamentary elections. Section 28 (1), Representation of the People Act 1983.

The ERO is an officer of the Council but the role of ERO is a personal responsibility, independent and separate from their duties as an employee of the Council.

Responsibilities

Are personal to the post holder and are defined under various legislation referred to in this report and accompanying guidance.

1. the duty to maintain a list of UK Parliamentary and local government electors for the local authority area;

2. the duty to maintain a list of relevant citizens of the European Union entitled to vote at European Parliamentary elections
3. the requirement to take reasonable steps to obtain information for those purposes and to ensure that persons who are entitled to be registered (and no others) are;
4. the requirement to conduct an annual electoral registration canvass and to give persons invitations to register to vote;
5. the requirement to take steps to encourage participation by electors in the electoral process;
6. the requirement to meet such standards of performance as set by the Electoral Commission.

**Both the ERO and deputy ERO must be appointed by Council.**

The above-mentioned arrangements will allow Mr Peter Holt CEO to cover all necessary duties as RO to the Council and Parishes and delegate the role as deputy to Mr Adrian Webb and Mr Philip Hardy in writing. It will also provide for Mr Peter Holt CEO to act as ERO to the Council (and therefore act as RO at any parliamentary election) and for these duties to be formally carried out by Mr Adrian Webb and Mr Philip Hardy in his absence.

# Agenda Item 10

**Committee:** Council

**Title:** Member Allowance Scheme Review 2022-23

**Date:**

Tuesday,  
7 December 2021

**Report Author:** The Independent Remuneration Panel:  
Diane Drury (Chair), Linda Riley and Melissa Challinor; assisted by  
Ben Ferguson, Democratic Services Manager  
[bferguson@uttlesford.gov.uk](mailto:bferguson@uttlesford.gov.uk)

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## Summary

1. The Council is required to maintain an Independent Remuneration Panel to make annual recommendations as to the level of the Basic Allowance and the type and level of Special Responsibility Allowances (SRAs).
2. In making a scheme of allowances, the Council is required to have regard to the recommendations of an independent panel but is not bound by them.
3. This report sets out the recommendations of the Independent Remuneration Panel for the Members' Scheme of Allowances for the year 2022/23.

## Recommendations

That the Council:

- a. Adopts the recommended scheme of allowances for the year 2022/23 as set out in Appendix A to the report, effectively increasing the current level of basic allowance and all existing special responsibility allowances (SRAs) by 1.75%.
- b. Notes the Panel's recommendation to introduce a collective Special Responsibility Allowance for Portfolio Holders in 2023/24. Details of the amended SRA will be presented to Council in December 2022.

## Financial Implications

4. There would be additional cost to the Council due to the 1.75% increase in the level of the basic and special responsibility allowances. The estimated cost of implementing this rise is an increase of £4,711.83. Provisionally, this has been included within the General Fund budget subject to Council approval in February 2022.

## Background Papers

5. [Local Government Association – National Councillor Census 2018](#)

## Impact

Communication/Consultation	All district councillors were invited to complete a survey and six members addressed the Panel.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	All wards
Workforce/Workplace	None

## Situation

### The Independent Remuneration Panel

6. The Panel this year consists of, Diane Drury (Chair), Linda Riley and Melissa Challinor.
7. In conducting its appraisal, the Panel paid special regard to the workload of Members in the current climate, including external responsibilities related to employment and caring duties, and what role the Allowance played, if any, in attracting prospective councillors to stand for local government. The Panel also wish to record its gratitude to Members who contributed to the review process this year.

### Summary of Review

8. Therefore, the Independent Remuneration Panel's starting point this year was to ask three key questions in relation to the review:
  - a. What weight should be attached to the basic allowance in terms of its influence on encouraging people to enter public life?

- b. Whether the basic allowance is commensurate with workload, compared with the national average?
  - c. Whether employment or caring responsibilities prohibit/deter people from standing as a district councillor?
9. As in previous years, the Panel were mindful of the [Local Government Association's National Councillor Census](#), the latest of which was undertaken in 2018. The questions asked in the survey were drawn from the 2018 census to allow comparison with the most recent nation-wide statistics.
10. A voluntary survey was circulated in August 2021 and has been attached as Appendix B.
11. Fifteen responses were received and results to the survey were anonymised before being presented to the Panel. As fewer than half of members responded, the Panel exercised caution in giving weight to the answers received. However, as a general indicator of member views the following points were considered:
  - Members entered public life for personal, political and social reasons – 100% of responses said they had entered public life in order to serve the local community.
  - Overall, the average number of hours spent on council work was comparable with the national average of approximately 26 hours per week.
  - In terms of employment circumstances, only 6.6% of respondents were in full-time employment. This contrasts with 16.2% nationally.
  - The survey results suggest that UDC has fewer members with caring responsibilities than the national average (20% compared with 36.1% nationally).
12. The Panel also instructed officers to setup a number of interviews following the completion of the survey. It was felt that a direct method of enquiry was required to ascertain Members' views on how much the Allowances Scheme factored into the thinking of prospective councillors, and whether more could be done to attract those in employment and/or with caring responsibilities. Furthermore, the Panel took this opportunity to garner views on the minority Opposition Group Leaders' Allowance and Portfolio Holder Allowance, and whether any changes to these scheme were warranted.
13. The IRP asked four questions of each interviewee. The questions were:
  - a. The survey results suggest that people enter public life for personal, social and political reasons. Do you feel that the Members' Scheme of Allowances i.e., financial considerations, has any bearing on people when they are thinking of standing as a councillor?
  - b. Did additional personal or professional commitments, such as child-care and full-time employment, deter you from standing for Council at any point? Could the Council, with particular attention paid to the Members' Scheme of Allowances, have done more to attract potential councillors with such commitments?



- c. During the previous review we suggested that the Special Responsibility Allowance for Portfolio Holders be disregarded as an individual allowance due to the budgeting risk of having anywhere between 2 and 10 cabinet members. Instead, a Portfolio Holder 'pot' could be established, in readiness for incoming councillors following the 2023 election, and shared between cabinet members, regardless of the numbers in Cabinet, to ensure that the Members Allowances' Scheme can be accurately budgeted for, and any financial risk mitigated against. Considering the responsibilities held by Portfolio Holders, do you feel this is fair? If not, why not?"
  - d. A similar budgetary issue has emerged with Opposition Group Leaders. Before 2019, there were only 3 Groups in Council. The Council now has 5 Groups, but earlier in 2020, there were 6. In a similar vein to the Portfolio Holder question, do you feel it would be fair to have a collective 'pot' for opposition group leaders, or should the individual allowance remain? Please explain your reasoning.
14. All Group Leaders were invited to attend, as well as a number of members who had completed the survey. Councillors Lodge, Pavitt, Smith, Khan, Lees and Emanuel accepted the invitation and a range of answers were given. Councillor Caton also provided a written response to the questions. The Panel were mindful of the varied and subjective nature of the responses but felt that a number of common themes were raised. In summary:
- a. Financial considerations and, by extension, the Members' Allowances Scheme, had little to no bearing on the deliberations of councillors when thinking of standing for election, corroborating the results of the survey. However, a reoccurring theme to these discussions was the observation that younger people were more likely to be in employment but less likely to be financially secure and, owing to the amount of time and dedication it took to be a councillor, would potentially be more mindful of financial considerations.
  - b. There was general agreement that being a councillor was very time consuming and balancing these duties with work or caring responsibilities was extremely difficult. It was suggested that the Caring Responsibility allowance be better advertised to prospective councillors, via the political Groups, but it was also acknowledged that people with young children might delay standing for election until they were older.
  - c. A number of Members raised the sentiment that claiming expenses was politically discouraged and it was difficult to say councillors deserved to be paid more in the current climate.
  - d. In regard to the SRAs relating to Portfolio Holders and Opposition Group Leaders, there were a range of views on the proposal to establish a collective monetary pot rather than continuing with the current approach of individual allowances. Some felt individual payments should be made based on performance, or the degree of responsibility held by the Member for the purposes of best value e.g. Opposition Leaders to receive an allowance in accordance with the number of members in their Group. Others felt that establishing a collective pot was sensible from a budgetary and/or best value

perspective. With specific reference to the Opposition Group Leaders' Allowance, another view raised was that budgetary factors should not constrain the plural nature of democracy and the individual allowance should remain.

### **Basic Allowance**

15. The aim of the payment of the basic allowance is that some element of the work of members continues to be voluntary but that financial recompense is available to elected members to avoid a disincentive for anyone wishing to come forward to serve their local community.
16. In comparison to comparable and neighbouring authorities, the Council's proposed scheme continues to be roughly the average of what is offered elsewhere. The same Local Authorities have been used to ensure the benchmarking exercise is consistent with previous years. This has been attached as Appendix C.
17. In previous years, the Panel has recommended increases which reflect the local government staff pay award, although this link has not been formalised to maintain flexibility in determining the appropriate level of the allowance in future years. Currently, there is no staff pay award for 2021-22 although negotiations are ongoing and an offer of 1.75% has been rejected by the Unions.
18. The Panel were mindful of the Consumer Price Index (CPI) 12-month inflation rate for [September 2020- September 2021 was 2.9%](#).
19. The Panel considered the question of raising the Basic Allowance and felt that a rise of 1.75% was justified. The following factors contributed to their decision:
  - a. The economic climate was uncertain but inflation had increased to 2.9% compared to the previous year's increase of 0.7%. The Panel were mindful of keeping pace with the rate of inflation and, having frozen the Basic Allowance last year, a higher percentage increase in future years would be undesirable. The Panel felt that whilst the Basic Allowance appeared to play little part in the deliberations of prospective Members standing for office, it certainly should not be a barrier or disincentive, and a modest rise was warranted.
  - b. Whilst a staff pay award had not been confirmed, the latest offer of 1.75% should be reflected in the Basic Allowance and SRA calculation.
  - c. The Panel had considered the number of meetings in comparison to previous years, as well as the results of the Member survey and comments made during the interviews, that had provided an indication of the average number of hours worked as a councillor at UDC, and felt a successive 'freeze' of the allowance was not conducive with the principle of fair recompense for elected Members.

## **Special Responsibility Allowances (SRAs)**

20. The Panel focused on two particular SRAs, as referenced in the previous year's report; the Portfolio Holders SRA and the Opposition Group Leaders' SRA.
21. The Portfolio Holder's SRA – in 2019, the Cabinet increased from five members to the maximum of ten. Since this time, Cabinet members have voluntarily agreed to a 45% reduction in their allowance (£3,468,00 claimed per Portfolio Holder; they were entitled to £6305.45). As signposted during the previous review, the Panel felt this required examination, with any changes to be implemented in the lead up to the next scheduled district election in May 2023.
22. The Panel have considered introducing a collective Portfolio Holders 'pot' that would be divided between Portfolio Holders, rather than the existing individual SRA. The Panel were asked to give further thought to this approach; firstly, did the Panel feel that a change was justified? If so, what would constitute the 'pot' i.e. would the monetary value of the collective SRA be the equivalent of five individual Portfolio Holder allowances? Secondly, and if a pot was to be established, should the pot be divided equally between Portfolio Holders, or should the pot be apportioned by the Leader as they wish?
23. The Panel have concluded that a collective Portfolio Holders' pot should be established. Under the current scheme, the total annual cost of this SRA could be anywhere between £12,610.90 (for the minimum of two Cabinet Members) and £63,054.50 (for the maximum of ten Cabinet Members). The Panel felt that the collective workload of Cabinet would largely remain the same and therefore a collective SRA should be established.
24. However, as previously stated, any changes would not come into effect until May 2023. That being the case, this report recommends that Council note the IRP's intention to propose this change during next year's review. Group Leaders, current Portfolio Holders and members will be consulted and the precise details of the SRA will be brought to Council for Members' approval in December 2022.
25. In a similar vein, the Panel considered proposing a collective Opposition Group Leaders' Allowance that would be divided between Group Leaders of minority opposition groups, rather than the existing individual SRA.
26. The Panel considered this SRA and felt a change was not justified. Unlike the Portfolio Holder allowance, whereby a ruling Group or Groups would only be affected, this could impact upon the wishes of the electorate in the event that a more politically diverse council was elected.

## **Looking forward**

27. The Panel ask that the Carers' Allowance be more widely advertised in the lead up to the 2023 local elections. It is proposed that the Members' Allowance Scheme, with specific attention paid to the Carers' Allowance, be shared with Group Leaders in the lead up to the nomination process, and that prospective councillors be explicitly made aware of the said scheme.

28. The Panel intend to bring proposals regarding the Portfolio Holders' SRA to Council during next year's review. This proposal will include details on the total amount of the collective pot and how it is to be allocated to each Portfolio Holder.
29. The Panel note that £1,618.45 had been claimed on travel and mileage expenses in the financial year to date. This is in contrast to 2019-20 when £8,597.22 was claimed and to 2018-19 when £9796.37 was claimed. This could suggest that the roll-out of remote meeting technology has reduced travel movements, or that behaviour has been modified during the pandemic, but this trend will be monitored by the Panel in future years.
30. Melissa Challinor, who has been an IRP member since 2018, has completed her term and will be leaving the Panel at the end of this review. The Democratic Services Manager would like to put on record his thanks to Mrs Challinor for her commitment and dedication to each review.

### Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
That member allowances do not continue to be set at a realistic level reflecting duties undertaken, which may deter future prospective councillors	2 – allowances paid to elected members do not reflect the time commitment and level of responsibility demanded	3 – the Council may not be able to attract a diverse range of councillors that reflect the makeup of the community they serve.	Adoption of suitable levels of allowances taking account of relevant commitment and responsibility of members

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.

**PROPOSED MEMBERS' ALLOWANCE SCHEME 2022/23**

All councillors receive the basic allowance unless they request otherwise. Special responsibility allowances, such as that of the Chair of the Council, are paid to those who hold responsibility for these positions.

<b>Allowance</b>	<b>Amount</b>
Basic Allowance	£5346.49
Chair of the Council	£4277.19 + civic expenses
Vice Chair of the Council	£2138.60
Leader of the Council	£13098.91
Deputy Leader of the Council	£6950.44
Portfolio Holders	£6415.80
Overview/Scrutiny and Ordinary Committee Chairs	£3742.55
Chair of Licensing and Environmental Health Committee	£4009.88
Members of Licensing and Environmental Health Committee	£246.76 (to be paid in a municipal year when at least ten meetings of the Committee take place in a purely regulatory capacity; a payment will be made to members attending at least 50% of those meetings).
Chair of Planning Committee	£4009.88
Members of Planning Committee	£493.52
Substitute members of the Planning Committee	£123.38 (to be paid in a municipal year when a substitute member of the Planning Committee has attended at least 25% of meetings of that committee).

Chair of Standards Committee	£2138.60
Main opposition group leader	£3742.55
Other opposition group leader	£2138.60
Independent representatives on the Standards Committee	£534.64
Panel members of Independent Remuneration Panel	£534.64

**Explanatory notes about how the Special Responsibility Allowances are calculated:**

Chair of the Council - 80% of the basic allowance

Vice-Chair of the Council - 40% of the basic allowance

Leader of the Council - 245% of the basic allowance

Deputy Leader of the Council - 130% of the basic allowance

Members of the Executive - 120% of the basic allowance

Chairs of overview, scrutiny and ordinary committees - 70% of the basic allowance

Chair of Licensing and Environmental Health Committee - 75% of the basic allowance

Members of the Licensing and Environmental Health Committee - 3, 8-hour days at the daily rate (calculated by dividing the basic allowance by 65, 8 hour days, equivalent to 520 hours per annum)

Chair of Planning Committee - 75% of basic allowance

Members of the Planning Committee - 6, 8-hour days at the daily rate (calculated by dividing the basic allowance by 65, 8 hour days, equivalent to 520 hours per annum)

Substitute Members of the Planning Committee – 25% of the SRA for members of the Planning Committee

Chair of the Standards Committee - 40% of the basic allowance

Leader of the largest opposition group - 70% of the basic allowance

Leader of all other opposition groups - 40% of the basic allowance

Independent members of the Standards Committee - benchmarked to 10% of the basic allowance

## Appendix A

Members of the Independent Remuneration Panel - benchmarked to 10% of the basic allowance (although this allowance is not reviewed by the Panel and is agreed independently by the Council)

**Independent Remuneration Panel:****Review of Members' Allowances Scheme****Member Survey Responses – September 2021**

A member survey was circulated in August 2021 to 39 councillors. 15 responses have been received and collated by Dem Services, and a percentage calculation and a brief summary of findings can be found below.

**1. Reasons for becoming a councillor (please feel free to select as many options that are applicable to you):**

a. Serve community	100%
b. To change things	80%
c. Political beliefs	13.33%
d. Because I was asked to	6.66%
e. Resolve an issue	6.66%
f. Other – please provide details in the box below	40%

**2. Average number of hours spent on council and group business in a week?**

a. 5 hours or less	0%
b. 6-10 hours	13.33%



c. 11-15 hours	6.66%
d. 16 – 20 hours	20%
e. 21 – 25 hours	13.33%
f. 26 – 30 hours	13.33%
g. 31 – 35 hours	6.66%
h. 36 – 40 hours	13.33%
i. 41 – 45 hours	6.66%
j. 46 – 50 hours	0%
k. More than 50 hours	6.66%

### 3. Current employment circumstances?

a. In full-time paid employment	6.66%
b. In part- time paid employment	20%
c. Self-employed	13.33%
d. Unemployed	0%
e. Retired	26.66%
f. Looking after home/family	20%

g. In full-time education	0%
h. Not working for other reason	13.33%

#### 4. Current caring responsibilities?

a. Child/children	0%
b. Relative	0%
c. Partner	6.66%
d. Other	6.66%
e. One or more caring responsibilities	6.66%
f. No caring responsibilities	66.66%
g. No response given	13.33%

## Benchmarking the Basic Allowance

<b>Authority</b>	<b>Amount</b>
Stevenage*	£8019
Hertsmere*	£6,045
Chelmsford	£5991
East Herts	£5375**
<b>Uttlesford</b>	<b>£5346.49</b>
South Cambridgeshire*	£5010
Braintree	£5,065
Epping Forest	£4300

Hertsmere, Chelmsford and Braintree all index their basic allowances to the Local Government pay awards. At South Cambridgeshire, the increase in basic member allowance agreed is the same percentage as the staff pay award increase. Councillors also agreed to link any future increase to any inflation increase in staff pay.

Please note, authorities labelled with an \* have been selected for comparison because they are most similar to UDC in terms of number of Members and committee structure.

\*\* Please note, East Herts rejected their own Independent Remuneration Panel's recommendation of 2.5% rise and retained a basic allowance of £5375 for 2021-22.

# Agenda Item 11

<b>Committee:</b>	Council	<b>Date:</b>	Tuesday, 7 December 2021
<b>Title:</b>	Public Sector Auditor Appointment 2023/24 – 2027/28		
<b>Report Author:</b>	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk		

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## Summary

1. The current appointment of our external auditors will end in March 2023 and this report sets out the options available for the procurement of the new 5 year appointing period 2023/24 to 2027/28.
2. In July 2016, the Secretary of State for Housing Communities and Local Government specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19 Public Sector Audit Appointments Limited (PSAA). The Secretary of State has confirmed PSAA as in the role of appointing person for eligible bodies for the period commencing April 2023.
3. The appointment of external auditors must be carried out in accordance with the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015 (the Regulations).
4. The Council has two options for the procurement of the external auditor appointment;
  - I. To establish an auditor panel and conduct our own procurement exercise
  - II. to become an opted-in authority with Public Sector Audit Appointments Limited (PSAA), being an appointing person for the purposes of the Regulations. Who will carry out the full procurement process on behalf of all opted in eligible authorities.
5. A sector wide procurement conducted by PSAA will produce better outcomes for the Council on both quality and cost than any procurement we undertook ourselves.
6. Use of the PSAA will be less resource intensive and we are unlikely to have capacity or the specialised knowledge of the sector to establish an auditor panel and conduct our own procurement.
7. Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by Full Council.
8. This report was presented to the Governance, Audit and Performance Committee at their meeting on the 22 November 2021, the committee voted to recommend that the council opts in to the appointing person arrangements by the Public Sector Audit Appointments for the procurement of the external auditors.

**Recommendation**

- 9. It is requested that the Council approve the option to ‘opt in’ to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external auditors.

**Financial Implications**

- 10.No direct financial implications from this report. If PSAA is not used additional resource will be needed to establish an auditor panel and conduct our own procurement. Until option for procurement is completed it would not be possible to ascertain additional financial implications for audit fees, although it is anticipated that any increase will be minimised through using PSAA.

**Background Papers**

- 11. The following link provides full details of the appointing person process, this includes the Procurement Strategy, the Scheme Prospectus and feedback from the consultation carried out in June 2021

<https://www.psa.co.uk/about-us/appointing-person-information/appointing-period-2023-24-2027-28/>

Link providing a list of frequently asked questions with PSAA responses

<https://www.psa.co.uk/contact-us/frequently-asked-questions/>

**Impact**

- 12.

Communication/Consultation	JET
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

## Situation

13. The current auditor appointment which was for a period of five years comes to an end in March 2023, we are now required to look at the process for a new appointment for the five financial years from April 2023.
14. In line with the regulations, we are required to have an appointment in place no later than 31 December of the financial year preceding the financial year the audit will take place. This means that the new arrangements must be in place by 31 December 2022.
15. The Local Authority can choose the way it procures its external auditors but this must be in accordance with the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015 (the Regulations). The options are

### **Option 1 - To undertake an individual procurement and appointment exercise**

- In line with the regulations, we would be required to form an independent auditor panel
- There would not be the required resource to be able to manage this process
- The auditor panel would require specialised knowledge of the audit sector
- It is unlikely that as an individual body we would be able to negotiate fees or evidence value for money
- Due to issues Audit firms are having with resourcing there is a strong possibility that we would not receive any responses

### **Option 2 – ‘Opt in’ to PSAA’s sector led national scheme**

- avoid the necessity to establish an independent auditor panel (detailed requirements specified by the Local Audit & Accountability Act, 2014)
  - avoid the need to manage their own auditor procurement
  - benefit from PSAA undertaking a robust process to validate fee variation proposals
  - be able to support market sustainability and encourage realistic prices in a challenging market
  - PSAA operate on a not for profit basis and distribute any surplus funds to scheme members
16. There have been large amounts of published issues regarding Audit delays and the lack of resource available, this is not limited to the public sector but spans all sectors.
  17. The PSAA ran a consultation during June 2021 to identify the key issues and look for ways to address these, the consultation included responses from both eligible bodies (LA's) and Audit firms. The consultation is included in the links in the background papers above.
  18. The ‘opt in’ option provides continuous contract compliance monitoring, and standardised setting of scale fees and fee variations.

**Risk Analysis**

Risk	Likelihood	Impact	Mitigating actions
Successful appointment not achieved to timescales	Low	High	Early consideration of preferred option/approach

- 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.

22 September 2021

To: Mr Tinlin, Chief Executive  
Uttlesford District Council

Copied to: Mr Webb, S151 Officer  
Councillor Oliver, Chair of Audit Committee or equivalent

Dear Mr Tinlin,

### **Invitation to opt into the national scheme for auditor appointments from April 2023**

I want to ensure that you are aware the external auditor for the audit of your accounts for 2023/24 has to be appointed before the end of December 2022. That may seem a long way away but, as your organisation has a choice about how to make that appointment, your decision-making process needs to begin soon.

We are pleased that the Secretary of State has confirmed PSAA in the role of the appointing person for eligible principal bodies for the period commencing April 2023. Joining PSAA's national scheme for auditor appointments is one of the choices available to your organisation.

In June 2021 we issued a draft prospectus and invited your views and comments on our early thinking on the development of the national scheme for the next period. Feedback from the sector has been extremely helpful and has enabled us to refine our proposals which are now set out in the [scheme prospectus](#) and our [procurement strategy](#). Both documents can be downloaded from our website which also contains a range of useful information that you may find helpful.

The national scheme timetable for appointing auditors from 2023/24 means we now need to issue a formal invitation to you to opt into these arrangements. In order to meet the requirements of the relevant regulations, we also attach a form of acceptance of our invitation which you must use if your organisation decides to join the national scheme. We have specified the five consecutive financial years beginning 1 April 2023 as the compulsory appointing period for the purposes of the regulations which govern the national scheme.

Given the very challenging local audit market, we believe that eligible bodies will be best served by opting to join the scheme and have attached a short summary of why we believe that is the best solution both for individual bodies and the sector as a whole.

I would like to highlight three matters to you:

1. if you opt to join the national scheme, we need to receive your formal acceptance of this invitation by Friday 11 March 2022;



2. the relevant regulations require that, except for a body that is a corporation sole (e.g. a police and crime commissioner), the decision to accept our invitation and to opt in must be made by the members of the authority meeting as a whole e.g. Full Council or equivalent. We appreciate this will need to be built into your decision-making timetable. We have deliberately set a generous timescale for bodies to make opt in decisions (24 weeks compared to the statutory minimum of 8 weeks) to ensure that all eligible bodies have sufficient time to comply with this requirement; and
3. if you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2023. We are required to consider such requests and agree to them unless there are reasonable grounds for their refusal. PSAA must consider a request as the appointing person in accordance with the Regulations. The Regulations allow us to recover our reasonable costs for making arrangements to appoint a local auditor in these circumstances, for example if we need to embark on a further procurement or enter into further discussions with our contracted firms.

If you have any other questions not covered by our information, do not hesitate to contact us by email at [ap2@psaa.co.uk](mailto:ap2@psaa.co.uk). We also publish answers to [frequently asked questions](#) on our website.

If you would like to discuss a particular issue with us, please send an email also to [ap2@psaa.co.uk](mailto:ap2@psaa.co.uk), and we will respond to you.

Yours sincerely

Tony Crawley  
Chief Executive

Encl: Summary of the national scheme

## Why accepting the national scheme opt-in invitation is the best solution

### Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit, independent company limited by guarantee incorporated by the Local Government Association in August 2014.

We have the support of the LGA, which in 2014 worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national body.

We have the support of Government; MHCLG's Spring statement confirmed our appointment because of our "strong technical expertise and the proactive work they have done to help to identify improvements that can be made to the process".

We are an active member of the new Local Audit Liaison Committee, chaired by MHCLG and attended by key local audit stakeholders, enabling us to feed in body and audit perspectives to decisions about changes to the local audit framework, and the need to address timeliness through actions across the system.

We conduct research to raise awareness of local audit issues, and work with MHCLG and other stakeholders to enable changes arising from Sir Tony Redmond's review, such as more flexible fee setting and a timelier basis to set scale fees.

We have established an advisory panel, which meets three times per year. Its membership is drawn from relevant representative groups of local government and police bodies, to act as a sounding board for our scheme and to enable us to hear your views on the design and operation of the scheme.

### The national scheme for appointing local auditors

In July 2016, the Secretary of State specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. Acting in accordance with this role PSAA is responsible for appointing an auditor and setting scales of fees for relevant principal authorities that have chosen to opt into its national scheme. 98% of eligible bodies made the choice to opt-in for the five-year period commencing in April 2018.

We will appoint an auditor for all opted-in bodies for each of the five financial years beginning from 1 April 2023.

We aim for all opted-in bodies to receive an audit service of the required quality at a realistic market price and to support the drive towards a long term competitive and more sustainable market for local audit. The focus of our quality assessment will include resourcing capacity and capability including sector knowledge, and client relationship management and communication.

### What the appointing person scheme from 2023 will offer

We believe that a sector-led, collaborative, national scheme stands out as the best option for all eligible bodies, offering the best value for money and assuring the independence of the auditor appointment.

The national scheme from 2023 will build on the range of benefits already available for members:

- transparent and independent auditor appointment via a third party;
- the best opportunity to secure the appointment of a qualified, registered auditor;
- appointment, if possible, of the same auditors to bodies involved in significant collaboration/joint working initiatives, if the parties believe that it will enhance efficiency;
- on-going management of any independence issues which may arise;
- access to a specialist PSAA team with significant experience of working within the context of the relevant regulations to appoint auditors, managing contracts with audit firms, and setting and determining audit fees;
- a value for money offer based on minimising PSAA costs and distribution of any surpluses to scheme members - in 2019 we returned a total £3.5million to relevant bodies and more recently we announced a further distribution of £5.6m in August 2021;
- collective efficiency savings for the sector through undertaking one major procurement as opposed to a multiplicity of smaller procurements;
- avoids the necessity for local bodies to establish an auditor panel and undertake an auditor procurement, enabling time and resources to be deployed on other pressing priorities;
- updates from PSAA to Section 151 officers and Audit Committee Chairs on a range of local audit related matters to inform and support effective auditor-audited body relationships; and
- concerted efforts to work with other stakeholders to develop a more sustainable local audit market.

We are committed to keep developing our scheme, taking into account feedback from scheme members, suppliers and other stakeholders, and learning from the collective post-2018 experience. This work is ongoing, and we have taken a number of initiatives to improve the operation of the scheme for the benefit of all parties.

Importantly we have listened to your feedback to our recent consultation, and our response is reflected in [the scheme prospectus](#).

## **Opting in**

The closing date for opting in is 11 March 2022. We have allowed more than the minimum eight-week notice period required, because the formal approval process for most eligible bodies is a decision made by the members of the authority meeting as a whole [Full Council or equivalent], except police and crime commissioners who are able to make their own decision.

We will confirm receipt of all opt-in notices. A full list of eligible bodies that opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters which may need to be taken into consideration when appointing your auditor.

## **Local Government Reorganisation**

We are aware that reorganisations in the local government areas of Cumbria, Somerset, and North Yorkshire were announced in July 2021. Subject to parliamentary approval shadow elections will take place in May 2022 for the new Councils to become established from 1 April 2023. Newly established local government bodies have the right to opt into PSAA's scheme under Regulation 10 of the Appointing Person Regulations 2015. These Regulations also set out that a local government body that ceases to exist is automatically removed from the scheme.

If for any reason there is any uncertainty that reorganisations will take place or meet the current timetable, we would suggest that the current eligible bodies confirm their acceptance to opt in to avoid the requirement to have to make local arrangements should the reorganisation be delayed.

## **Next Steps**

We expect to formally commence the procurement of audit services in early February 2022. At that time our procurement documentation will be available for opted-in bodies to view through our e-tendering platform.

Our recent webinars to support our consultation proved to be popular, and we will be running a series of webinars covering specific areas of our work and our progress to prepare for the second appointing period. Details can be found on [our website](#) and in [the scheme prospectus](#).

**Committee:** Council

**Title:** Local Council Tax Support Scheme Proposals  
2022/23

**Portfolio Holder:** Portfolio Holder for Finance and Budget  
Cllr Neil Hargreaves

**Report Author:** Angela Knight, Assistant Director - Resources  
aknight@uttlesford.gov.uk

**Date:** Tuesday, 7  
December 2021

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## 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. A consultation has been carried out during the summer on the scheme proposals, to retain the contribution rate at 12.5% and continue to protect Vulnerable and Disabled residents and Carer's on a low income.
3. The consultation was carried out via an online form and was widely promoted on our website, social media and a press release to all local media and newspapers. The consultation was available in paper form on request. The total number of responses received was 28.
4. As can be seen from the table in paragraph 19 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.
5. 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.
6. The Exceptional Hardship Fund is available to support residents and claimants who are suffering financial hardship.
7. This report was presented to Cabinet on the 15 November and the recommendation was to submit to Council for approval.

## Recommendations

8. The Council is requested to approve the Local Council Tax Support Scheme for 2022/23 on the same basis as 2021/22:

- I. The contribution rate is frozen for the eight consecutive year at 12.5%.
- II. The Council continues to protect Vulnerable and Disabled Residents and Carer's on a low income.

### Financial Implications

9. Detailed in the main body of this report.

### Background Papers

10. None

### Impact

Communication/Consultation	Proposals subject to public consultation and discussions with major preceptors
Community Safety	None.
Equalities	An equalities impact assessment will be completed as part of developing final proposals for decisions by Cabinet and the Council later in the year.
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)

11. LCTS replaced Council Tax Benefit (CTB) from 1 April 2013. 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, Carer's 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

### **Essex Sharing Agreement**

12. 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.
13. The main principles of the agreement are to ensure a joint approach in maximising income collection, reduce fraud, ensure compliance, and increase the taxbase.
14. By working proactively on fraud this ensures that our tax base is maintained at the maximum level generating extra revenue for both the major preceptors and billing authorities.
15. Preceptors receive a share of all income generated for Council Tax and this is allocated through the Collection Fund at year end.
16. The increased income generated specifically from these activities and internal decisions made by UDC each year is monitored by ECC, and the preceptors have agreed to share their element of the increased income with the Local Authorities.
17. The current share back of the additional income is between 12% and 14% dependant on the level of tax base increases.
18. The major preceptors provide funding through this agreement to employ.
  - a) an officer to ensure the efficient administration of the LCTS scheme and provide claimants with dedicated support in debt management.
  - b) two officers to work directly on all areas of fraud and compliance within Council Tax.
19. Essex County Council contributes £7,000 per annum towards the running of the hardship scheme which has a £17,000 annual budget (£10,000 UDC element).

### **Contribution Rates across Essex**

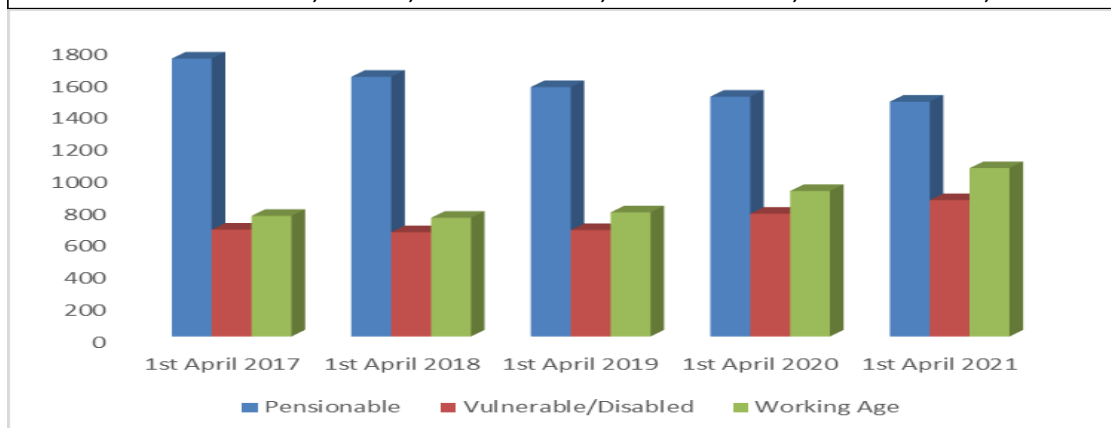
20. The council has the lowest percentage contribution rate within Essex with the highest being set at 30%. The contributions across Essex Local Authorities have remained the same since 2017.

Contribution Rate 2021/22			
	%		%
Basildon	25	Harlow	24
Braintree	24	Maldon	20
Brentwood	25	Rochford	28
Castle Point	30	Southend-on-Sea	25
Chelmsford	23	Tendring	20
Colchester	20	Thurrock	25
Epping Forest	25	Uttlesford	12.5

### Caseload

21. The current caseload shows an increase in the working age recipients. Since April 2020, increases can be directly attributed to the Covid-19 pandemic.
22. The following table and graphs provide an analysis of each category of claimant and how the caseloads have changed over the past 5 years.

	1st April 2017	1st April 2018	In year movement	1st April 2019	In year movement	1st April 2020	In year movement	1st April 2021	In year movement
Pensionable	1,735	1,621	-114	1,557	-64	1,497	-60	1,466	-31
Vulnerable/Disabled	667	651	-16	664	13	766	102	851	85
Working Age - Employed	334	341	7	323	-18	331	8	337	6
Working Age - unemployed	419	400	-19	452	52	577	125	714	137
<b>Total Claimants</b>	<b>3,155</b>	<b>3,013</b>	<b>-142</b>	<b>2,996</b>	<b>-17</b>	<b>3,171</b>	<b>175</b>	<b>3,368</b>	<b>197</b>



### Increases to the Contribution Rate

23. The Band D equivalent used in this report for the calculation of the increase in contribution rate and the full cost of the scheme is estimated based on the 2021/22 Band D equivalent multiplied by the average increase over the previous two years (3%).
24. The table below sets out the financial impact of an increase to the contribution rate to both preceptors and claimants and is shown in 2.5% increments. Each 2.5% increase will generate additional income of £38,710, of which the council will receive £5,420.



25. It is impossible to identify and calculate precise figures as the contribution level varies dependant on the claimant's financial circumstances. The financial gain and the claimant cost impact are based on all working age claimants paying a 12.5% contribution.

Percentage Contribution	Average liability income due	87% Collection Rate	Increase @ 2.5% increments	Additional Cost to claimant	
				per year	per week
12.50%	£255,033.24	£221,879			
15%	£306,039.89	£266,255	£44,376	£42.22	£0.81
17.50%	£357,046.54	£310,630	£88,752	£84.44	£1.62
20%	£408,053.19	£355,006	£133,127	£126.67	£2.44

### Reducing the Contribution Rate

26. This report acknowledges the Chair of Scrutiny's request to reduce the contribution rate to support those on the lowest incomes and I would like to refer members to the Exceptional Hardship Fund which was set up alongside the LCTS scheme to support residents in severe financial hardship and unable to pay their council tax.

27. A reduction of 2.5% to the contribution rate will reduce income by £38,710 and will reduce the taxbase for all preceptors including Town and Parish Councils. Reducing the taxbase has the following impacts.

- a) Any reduction would be subject to a consultation process, there would not be sufficient time to carry out a further consultation and meet the legislative requirement of an approved scheme in place by January 2022.
- b) To reduce the contribution is not in the spirit of the sharing agreement (please see details above), where we have committed to an Essex wide agreement which includes the commitment to maximise our taxbase. We currently have the lowest contribution rate in Essex.
- c) The share back from the Essex Sharing agreement will be reduced, currently predicting to generate additional income of approx. £45,000 dependant on the year end collection rate.
- d) Town and Parish Councils will have to increase their precepts to offset the reduction in taxbase to meet their budget requirements.

### Exceptional Hardship Fund (EHF)

28. The Council holds a ring-fenced budget specifically to support residents and claimants suffering from financial hardship due to unforeseen circumstances. The EHF is supported by the major preceptors as part of the Essex Sharing Agreement.

29. The annual budget held for this fund is £17,000, with UDC contributing £10,000 and ECC contributing £7,000. In 2020/21 the Council received £325,304 hardship funding from Government to provide additional support to those on the lowest income during the Covid Pandemic. There was £19,870 of this funding unspent at the end of the 2020/21 financial year, and this has been added to the current budget for 2021/22 providing a total allocation of £36,870.

30. The EHF is subject to award criteria and supports all residents who find themselves in financial difficulties, you do not have to be in receipt of LCTS to qualify, making this scheme fully inclusive to all residents. Full details can be found using the following link: <https://www.uttlesford.gov.uk/ehf>
31. It is recommended that the EHF fund is used to provide additional financial support to residents rather than reducing the contribution rate.

### Full cost of LCTS scheme (estimated)

32. The following table shows that the forecast financial position for UDC in 2022/23 is an estimated net cost of £460,994. The costing has been based on caseload as of 1 April 2021, the 2021/22 band D equivalent and the 12% share back on current predicted collection rates.

£'000	LCTS Expenditure	County, Fire and Police Share	UDC Share
LCTS Discounts	3,614,450	3,108,427	506,023
Major Preceptors - Sharing Agreement (12%)	0	0	(45,000)
<b>Net of LCTS Scheme &amp; Discounts</b>	<b>3,614,450</b>	<b>3,108,427</b>	<b>461,023</b>
Major Preceptor LCTS Funding (Admin & Recovery)	0	34	(34)
LCTS Hardship Scheme	17	7	10
ECC Funding of Hardship Scheme	0	5	(5)
<b>Total Net Cost</b>	<b>3,614,467</b>	<b>3,108,473</b>	<b>460,994</b>

33. Due to the current Covid-19 emergency and the ongoing impact of the measures put in place to control the virus it is expected that current caseload levels will increase during the current financial year. It is difficult to predict the outcomes for 2022/23 but it is hoped that the economy will recover during 2021/22 and that caseloads will start to decrease.

### Consultation

34. The consultation was carried out using an online form using an open text box format requesting views on the proposals to maintain the contribution rate at 12.5% and to continue to protect Vulnerable and Disabled Residents and Carer's on a low income. For those who do not use digital services, paper copies were available on request.
35. The full consultation report is attached as Appendix A.
36. The consultation was extensively publicised via a press release to all local media and newspapers, E-newsletters were sent to all the subscribers on our mailing lists (more than 8,900 contacts). In addition, the consultation was promoted on Facebook and Twitter in July, with reminders in August.
37. The major preceptors, (Essex County Council, Essex Police, Fire and Crime Commissioner) and Town and Parish Councils were sent an email directly inviting them to provide their views on the proposals.
38. The consultation received a total of 28 responses (27 responses last year), an analysis of the responses is set out below.

<b>Responses Received</b>	
Total number of paper forms returned	<b>0</b>
Total number of web forms / direct emails submitted	<b>28</b>
Total number of comments received	<b>28</b>
Number of responses on behalf of/from representatives of preceptors*	<b>2</b>
Number of responses providing an email contact address	<b>17</b>

39. The Survey was carried out using open text box's rather than a Yes or No option, all responses have been included in the attached report at Appendix A in full and a summary of the responses are listed below.

- 16 respondents were in favour of maintaining the scheme in line with the proposals
- 5 said that the contribution should be reduced
- 4 said we should increase the contribution
- 2 responses said the scheme criteria should be expanded to help more people in low-income work or financial difficulties
- 1 comment made no reference to the scheme proposals

## Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Assumptions about costs and income levels are incorrect	3 - a high degree of variability and estimation is involved	3 - adverse or favourable cost affecting the council budget/collection fund	Monitor trends closely and review scheme each year to make necessary adjustments.
Covid-19 and effect on the economy longer term	2 - possible that unemployment levels will still be high	2 – cost of the scheme will increase	Monitor caseload and work with preceptors on managing the scheme

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 September 2021

# Local Council Tax Support (LCTS)

**A summary report on the survey about Local Council Tax Support (LCTS) provision in Uttlesford for the financial year 2022-2023.**

In April 2013 Council Tax Benefit was abolished and replaced by a new local Council Tax Support (LCTS) scheme. The government required councils to protect pensioners so that they would receive the same level of support as they did under Council Tax Benefit. This means that LCTS has applied only to working age people.

Uttlesford District Council has been consulting local residents regarding the Local Council Tax Support Scheme (the scheme) since 2012 during which time the scheme has undergone various changes. For the financial year 2022/2023, the council has proposed that the scheme is set on the same basis as that for 2020/2021, namely:

- The contribution rate is frozen for the seventh consecutive year at 12.5%
- The council continues to protect vulnerable and disabled resident and carers on a low income

For the current consultation, there were no questions requiring a specific 'yes' or 'no' answer. As with the 2020 consultation (for the 2021-22 scheme), respondents were asked to consider the proposals and provide their views in an 'open text box'. The survey invited (but did not require) participants to provide their name and a contact email address. Participants were also asked to identify if their response was on behalf of an organisation (such as a major preceptor). The survey ran from 22 July to 31 August 2021.

The online survey took the form of a simple web form on the Uttlesford District Council website which could be accessed via a direct link or from the website home page. Emails inviting participation in the survey were sent directly to Essex County Council, the PFCC and to all town and parish councils in the district on 22 July.

The survey was widely publicised to the citizens of Uttlesford who were encouraged to take part with a press release, which went to all local media and newspapers on 22 July. E-newsletters were also sent to all of the subscribers on our mailinglists (in excess of 8,800 contacts) on 20 July and again with a follow-up on 5 August. In addition to this, the consultation was promoted on Facebook just after the launch in July and again twice in August to remind users of the closing date of the survey – these posts together reached over 2,000 people. Similar posts were also put out on Twitter and Instagram.

Finally, for those who do not use digital services, we offered (details were provided on the website, in the press releases and in all publicity) to send out by post paper copies of the survey. We did not receive any requests for paper copies.

## Results – Overall submissions

The LCTS scheme survey conducted in 2020 received a total of 27 responses. This year the response rate was much the same with a total of 28 responses, as shown in the table below.

Overall submissions	Result counts (percentage)
Total number of paper forms returned	0
Total number of web forms / direct emails submitted	28 (100%)
Total number of comments received	28 (100%)
Number of responses on behalf of/from representatives of preceptors	2* (7.1% of total responses)
Number of responses providing an email contact address	17 (60.7%)

\*The survey was sent to Essex County Council, the PFCC and the town and parish councils in the district; a total of 54 email addresses. We received 2 responses from preceptors or from representatives of those preceptors. In 2020 we received 3 replies from preceptors.

## Results – Submitted comments

Of the submitted comments, 16 (or 57.1% of all the comments received) either directly supported the proposals, or could clearly be interpreted as such. This includes 2 responses on behalf of/from representatives of preceptors. These are identified in the tables below.

A further 11 comments proposed expanding or making amendments to the proposed scheme.

A single comment did not comment directly on the scheme but instead offered an opinion on fraud in relation to benefits in general.

All the comments received are listed in this report.

## Comments received generally in favour of the proposed scheme

### Responses on behalf of/from a representative of a preceptor

Henham Parish Council supports the proposals and has no comments.
I would like Uttlesford District Council to continue the LTCS support scheme. There will be a continuing need to support those of us who are struggling to survive in the current and post Covid era.

### Responses from citizens

It has been a difficult time for all but particularly those on low incomes and benefits I am in favour of maintaining LTS scheme at 12.5%
I agree to continue the same tax benefit for the vulnerable for 2022/23
I agree with the proposed scheme to support those in need. In these difficult times the council must have an obligation to help people who are in trouble.
This scheme currently makes the difference between being able to live not in hardship. Continue with it.
I agree that the scheme should remain the same as last year.
I support the Council intention to continue support to low earners and vulnerable citizens.
I agree.
I support the proposal that the LCTS scheme will be maintained at the same rate of 12.5% because I think that is our duty to support the disabled and vulnerable people in our community especially through this time of pandemic.
I am quite happy that you continue as in the previous year.
I agree that the current subsidies should continue at 12.5%
Agree. Keep the figure at 12.5%

I support the proposal that the local council Tax support Scheme for 2022/23 shall provide the same support as in the current year 2021/22 and should continue to support vulnerable and disabled resident and carers on low income.

I agree with the proposals for the 2022/23 LCTS scheme. I appreciate UDC continuing with this level of support for people on a low income.

Dear Uttlesford Councillors

As a recipient of pension credit, I am also a very thankful recipient of Uttlesford council tax support; and this is an opportunity to express to you my gratitude for a benefit which makes an enormous difference to my wellbeing and to the quality of my daily life.

As you will be aware, pensioners on minimum income have a total of about £7,000 a year. So if I were paying the full Uttlesford council tax, I would be paying about a sixth of my total income - roughly two months' of my household income each year - on council tax.

This is of course a very different situation to that of people on average income, which I believe is nationally about £31,000. So the council tax is about 4% of their income. But many people in Uttlesford have a much higher income than that, so for many people locally, council tax is 2% of their salary, or even less.

I do of course live modestly; I don't run a car, don't drink, smoke, nor do I have expensive hobbies or recreations. But there are some big expenses which are inevitable: a plumber's bill or a broken kettle may be a mere inconvenience, or an outgoing to make a plan about - or a crisis, depending on whether there is spare money in one's purse. For me, the council tax support has provided the cushion that makes it possible to be merely irritated instead of heart-sick when the kettle packs up; and to be - almost - philosophical when a plumber or other workman is needed (though yes, I do procrastinate when any household repair is required.....). I am looking forward nervously to the increases in energy prices which we have been told to expect, and, again, it is the cushion of Uttlesford's council tax support that means people in my position won't have to make the difficult choice between groceries and warmth.

So, what I am saying is thank you enormously for the council tax support hitherto, and, also, that I hope it continues at the highest possible level in the future. I have been proud, as well as thankful, that Uttlesford has been one of the most generous councils in the country in this respect. I am a pensioner - but people of working age on Income Support are in an even more stringent financial position (hence, sadly, the need for food banks, even in relatively affluent Uttlesford), and it simply seems unjust that in many parts of the country they are required to spend their small income from central government on paying local government taxes. I am so thankful that up to now Uttlesford council has chosen to be clement about council tax for the very poor. I do hope that this will continue in 2022/3 and beyond.



## Comments received suggesting the proposed scheme be expanded or amended

Uttlesford has a diverse mix of residents, ranging from wealthy to those living in poverty. In a fair society it is morally appropriate for those able to support those who are struggling to do so. I am in favour of increasing support to those who need, it via an increase in Council Tax if necessary.

After having been left in financial difficulty twice at the hands of your council incompetent administration skills, I personally feel that this scheme would be of great benefit.

Sadly due to this terrible government more and more normal people are finding it harder and harder to pay bills every month. (You try paying all these things on minimum wage that doesn't increase in line with inflation)

Support should be offered to those who need it not just carers. After my family was forced to pay 9 months council tax in just 4 months after an administration error on your part that you openly admitted was your fault, all we got was a verbal sorry for; I completely understand the need for help and support.

Please please expand payment options and schemes to help those who like my family through no fault of our own were left struggling financially for months after.

LCTS should not be cut for the coming tax year. If anything it should be increased. Paying 12.5% CT when you are on benefits of a very low income puts people in debt.

We live in a well off area and most people can afford a little more to help those who are struggling. I think that Uttlesford District Council can afford to increase any support it gives.

Increase the amount of money that is given.

With reference to the invitation to comment on the Council tax support scheme, I don't have a comment as such, just a question as to why the rate in Uttlesford is so much lower than all the other Local Authorities in Essex. I haven't been able to 'get my head around' the subject sufficiently to be able to comment but the large divergence in the rates does make me wonder whether Uttlesford could / should increase its rate to anyway 15% - perhaps in 2023/24 by when hopefully the effect of the pandemic will have lessened somewhat.

The minimum amount of council tax should be increased to 20% especially as it has not been increased for the last 7 years. This would bring it inline with other councils and according to your own information would only mean an increase of £2 per week. This amount is not excessive . Council tax in Uttlesford is extremely high and costs need to be shared. People who do not quite fall into the category of needing benefits are also struggling with high bills.

I think this is too little and I'd lift it to 20% progressively over the next three years. Given the government's cap of Council Tax you may have to lobby them to remove or lift it so as to pay for this by increase local taxation. I speak as a householder who does not like more tax but is frustrated by central Gov't attitude to local discretion.

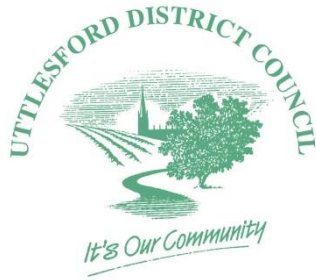
For anyone that can't pay council tax up To 100% should be funded. If I was struggling financially I would prioritise the following; Food Heat / fuel Commuting costs Rent Clothing (basics) Council tax

There should be more help for those in work with no kids who only just earn above the cut off for any benefits. There is help available for the low income families, disabled, vulnerable and elderly in many different forms. But there are no provisions for those in work but don't qualify for other help. Council tax is a huge burden for this forgotten group and Uttlesford could pave the way to highlighting this

I think you should increase in line with other councils if possible and perhaps this year at least increase it to 20% to help the people who need help post pandemic too which is by 5%,

## Comments received not specifically relating to the proposed scheme

With all benefit schemes as we all know they are abused and non deserving people take advantage and financially gain considerable amounts of money and get away with it. I don't have a problem with genuine cases of hardship benefitting but I REALLY do have a problem with the systems being abused. Providing the means testing is rigorous enough to stop abuse and if fraudulent claims are identified the FULL force of the law must be used.



## **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 – 2022/23
2	What is the overall purpose of the strategy, policy, project, contract or decision?	To set the proposals for the 2022/23 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  <input type="checkbox"/> A specific client group/s e.g. linked by geographical location, social economic factors, age, disabilities, gender, transgender, race, religion or sexual orientation (please state)
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> ?	<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

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: 50px; 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: 50px; 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								
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;"> <b>Yes</b>      <b>No</b>       <b>N/A</b> </p> <p>The <a href="#">premises</a> for delivery are accessible to all.</p> <table style="width: 100%; text-align: center;"> <tr> <td style="width: 33%;"><input checked="" type="checkbox"/></td> <td style="width: 33%;"><input type="checkbox"/></td> <td style="width: 33%;"><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"/>							

[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 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.

*If assessing a proposed strategy policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.*

	Yes	No 	N/A
<a href="#">Customer contact</a> 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"/>


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


**Future Impact**

12 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.

Is it likely to inadvertently exclude or disadvantage any diverse groups?

No

Yes \* 


Insufficient evidence 

\*Please state any potential issues Identified.

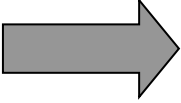
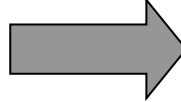

**Improvement actions**

13 If your assessment has highlighted any potential issues or red flags, can these be easily addressed?

Yes

No\* 

Not applicable

		<i>*If Yes, please describe your proposed action/s, intended impact, monitoring arrangements implementation date and lead officer:</i>
<b>Making a judgement – conclusions and next steps</b>		
14	Following this fast-track assessment, please confirm the following:	
	<input checked="" type="checkbox"/> There are no inequalities identified that cannot be easily addressed or legally justified	 No further action required. Complete this form and implement any actions you identified in Q13 above
	<input type="checkbox"/> There is insufficient evidence to make a robust judgement.	 Additional evidence gathering required (go to Q17 on Page 7 below).
	<input type="checkbox"/> Inequalities have been identified which cannot be easily addressed.	 Action planning required (go to Q18 on Page 8 below).
15	If you have any additional comments to make, please include here.	<input checked="" type="checkbox"/> None
<b>Completion</b>		
16	Name and job title	Angela Knight Assistant Director, Resources
	Name/s of any assisting officers and people consulted during assessment:	Cabinet Members, Local residents, Businesses and all preceptors (including Town and Parish Councils) all consulted
	Date:	Cabinet – 15 November 2021 Council - 7 December 2021
	Date of next review:	Summer 2022
	<i>For new strategies, policies, projects, contracts or decisions this should be one year from implementation.</i>	

**Committee:** Council

**Date:** Tuesday, 7  
December

**Title:** Ethical Investment Policy

**Portfolio Holder:** Cllr Reeve, Portfolio Holder for the Economy,  
Investment and Corporate Strategy

**Report author:** Adrian Webb, Director of Finance and  
Corporate Service

[awebb@uttlesford.gov.uk](mailto:awebb@uttlesford.gov.uk)

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## Summary

1. This report sets out the current position with regards to the requirement to establish an Ethical Investment Policy, following discussion at the Investment Board on 27 July 2021 and Cabinet on 2 September 2021.

## Recommendations

2. That Council formally adopts the revised Ethical Investment Policy (Appendix 1).

## Financial Implications

3. None.

## Background Papers

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

None.

## Situation

5. As part of the Corporate Plan and the wishes of the Investment Board, a draft Ethical Investment Policy (Appendix Two) was considered by the Investment Board at its meeting on 27 July 2021.
6. Following discussion at that meeting a revised draft policy is attached at Appendix One for consideration by the Cabinet. There are two areas of change:
  - a. The introduction has been strengthened; and
  - b. The section on exclusions has been removed as Members felt the list would always be 'incomplete' and therefore subject to challenge, with it being almost impossible to come up with a definitive list. This was not a unanimous view but was that held by the majority of Members who felt it better to leave the decisions on investments to the Board, rather than try to be over prescriptive in the Policy.

## **Ethical Investment Policy**

### **1. Introduction**

The Ethical Investment Policy aims to ensure that its investments are managed in a productive but socially responsible manner which reflects the mission and values of the Council.

The main principles of the policy are as follows:-

- The Council's Ethical Investment Policy is based on the premise that the Council's choice of where to invest should be in line with its strategic aims and its environmental, social and ethical values.
- The Investment Board, on behalf of Cabinet and Council, will actively monitor and take a view on the ethical position of the Council's investments. In particular, the Board may advise against investment in areas which it considers to be ethically unacceptable. Examples may be environmentally or socially harmful areas and areas of human rights abuse.

This Policy has been developed with the intention of active promotion of investment opportunities which demonstrate policies and practices that are in line with the Commercial Strategy 2021 – 2025. The vision of that Strategy is

'To generate sufficient income to enable the Council to be self-sufficient, in that it generates its own resources from local taxation (Business Rates and Council Tax) and commercial investments thereby removing the reliance on Central Government grants.'

### **2. Investment of Funds**

The Commercial Strategy 2021 - 2025 sets out the objectives for the investment portfolio held by the Council. The appointed asset managers at the Council have responsibility for asset selection in accordance with the Strategy. Approval for acquisition is then via the Investment Board, Cabinet and Full Council.

### **3. Investment Principles**

The Council is committed to investing its funds on a socially responsible basis. The Council believes that to accord with its values when investing its funds, regard must be made to Environmental Social and Governance (ESG) issues. The Council will not knowingly invest directly in businesses whose activities and practices pose a risk of serious harm to individuals or groups, or whose activities are inconsistent with the Council's values.

The Council has identified two sets of principles which accord with its values and aspirations in this area.

Firstly:

▪ **The United Nations Principles for Responsible Investment.**

These six principles have been developed, *inter alia*, to ‘better align investors with the broader objectives of society’ and are as follows:

- We will incorporate ESG issues into investment analysis and decision-making processes.
- We will be active owners and incorporate ESG issues into our ownership policies and practices.
- We will seek appropriate disclosure on ESG issues by the entities in which we invest.
- We will promote acceptance and implementation of the Principles within the investment industry.
- We will work to enhance our effectiveness in implementing the Principles; and
- We will report on our activities and progress towards implementing the Principles.

Secondly:

▪ **The United Nations Global Compact**

The Council also supports the ten principles of the United Nations Global Compact, which stem from the acceptance that, as with the Council itself, corporate sustainability starts with a company’s value system and a principled approach to the way it operates. This means operating in ways that, at a minimum, meet fundamental responsibilities in the areas of human rights, labour, environment, and anti-corruption. The ten principles are derived from:

- The Universal Declaration of Human Rights.
- The International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.
- The Rio Declaration on Environment and Development; and
- United Nations Convention Against Corruption. The ten principles are:
  - **Human Rights**
    - Businesses should support and respect the protection of internationally proclaimed human rights; and
    - make sure that they are not complicit in human rights abuses.
  - **Labour**
    - Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining.
    - the elimination of all forms of forced and compulsory labour.
    - the effective abolition of child labour; and
    - the elimination of discrimination in respect of employment and occupation.

- **Environment**
  - Businesses should support a precautionary approach to environmental challenges
  - undertake initiatives to promote greater environmental responsibility; and
  - encourage the development and diffusion of environmentally friendly technologies.
- **Anti-Corruption**
  - Businesses should work against corruption in all its forms, including extortion and bribery.

In managing its investments, the Council therefore expects its assets staff to encourage good behaviour and discourage poor behaviour through the screening of investments (using the principles above or an equivalent framework) and through the direct engagement with the developers and tenants in which they invest. In doing so, they should promote sustainability, good business ethics, good employment practices and the transition to a low carbon economy.

#### **4. Monitoring**

To give effect to its commitment to this Policy the Council will:

- Publish the Ethical Investment Policy on its website following its approval by Council.
- Delegate to the Investment Board the responsibility to monitor the operation and the effectiveness of the Policy and provide Council with an annual update.
- Publish on its website a list of the commercial assets owned by the council and the tenants in occupation, along with details of developers and other third parties where the acquisition is subject to a forward funding arrangement.

## Appendix Two – Draft policy considered by the Investment Board

### **Ethical Investment Policy**

#### **1. Introduction**

This Policy has been developed with the intention of active promotion of investment opportunities which demonstrate policies and practices that are in line with the Commercial Strategy 2021 – 2025. The vision of that Strategy is

‘To generate sufficient income to enable the Council to be self-sufficient, in that it generates its own resources from local taxation (Business Rates and Council Tax) and commercial investments thereby removing the reliance on Central Government grants.’

The governance of investment activities is delegated to the Investments Board of the Council, which reports to the Cabinet.

This Ethical Investment Policy is subject to regular review by the Investment Board and approval by Cabinet and Council.

#### **2. Investment of Funds**

The Commercial Strategy 2021 - 2025 sets out the objectives for the investment portfolio held by the Council. The appointed asset managers at the Council have responsibility for stock selection in accordance with the Strategy. Approval for acquisition is then via the Investment Board, Cabinet and Full Council.

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- We will seek appropriate disclosure on ESG issues by the entities in which we invest.
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  - **Labour**
    - Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining.
    - the elimination of all forms of forced and compulsory labour.
    - the effective abolition of child labour; and
    - the elimination of discrimination in respect of employment and occupation.
  - **Environment**
    - Businesses should support a precautionary approach to environmental challenges
    - undertake initiatives to promote greater environmental responsibility; and
    - encourage the development and diffusion of environmentally friendly technologies.
  - **Anti-Corruption**
    - Businesses should work against corruption in all its forms, including extortion and bribery.

In managing its investments, the Council therefore expects its assets staff to encourage good behaviour and discourage poor behaviour through the screening of investments (using the principles above or an equivalent framework) and through the direct engagement with



the developers and tenants in which they invest. In doing so, they should promote sustainability, good business ethics, good employment practices and the transition to a low carbon economy.

#### **4. Exclusions**

Beyond the responsible investment practices and principles set out above, the Council believes that certain types of investment should be excluded from its direct investments. These are:

- Companies whose primary function is to manufacture or derive significant revenue from tobacco products. The Council defines significant as 10% or more of revenues.
- Companies that derive significant revenues from thermal coal or tar sands.
- Companies engaged in testing of cosmetic and non-pharmaceutical products on animals except where it is mandatory.
- Companies whose primary function is to promote gambling.

#### **5. Monitoring**

To give effect to its commitment to this Policy the Council will:

- publish the Ethical Investment Policy on its website following its approval by Council.
  - delegate to the Investment Board the responsibility to monitor the operation and the effectiveness of the Policy and provide Council with an annual update.
- publish on its website a list of the commercial assets owned by the council and the tenants in occupation, along with details of developers and other third parties where the acquisition is subject to a forward funding arrangement.

# Agenda Item 14

**Committee:** Full Council

**Date:** Tuesday, 7  
December 2021

**Title:** Planning Committee Working Group

**Author:** Tracey Coleman, Interim Director of Planning,  
Planning & Building Control

**Lead** [tcoleman@uttlesford.gov.uk](mailto:tcoleman@uttlesford.gov.uk)

**Member:** Councillor Sandi Merifield,  
Chair of Planning Committee

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## Summary

1. Members will recall the finalised report East of England LGA, Fit for Purpose Local Planning Authority and Development Management Improvement Plan, August 2021
2. The report recommends a number of pathways for the transformation of the service. Two of these pathways relate to members specifically Member Development and Planning Committee.
3. Planning Committee resolved at its meeting of 24.11.21 to recommend to Full Council the formal establishment of a Planning Committee Working Group. This Working Group would provide the necessary focus to take responsibility for progressing the timetable and actions required by the EELGA Peer Review as they relate to the member Development Implementation Pathway and Planning Committee. A Draft Terms of Reference is attached as Appendix A.

## Recommendations

4. It is recommended that Full Council formally establishes a Planning Committee Working Group based on the proposed Terms of Reference (attached as Appendix A).
5. To appoint Councillors Merifield, Lemon, Fairhurst, Freeman, Pavitt and Loughlin to the Planning Committee Working Group.

## Financial Implications

6. None

## Situation

7. An Informal Planning Committee Working has been running successfully since the Summer of 2019. This has brought forward appropriate changes to the workings of Planning Committee. In light of the emerging work from the EELGA Peer review it is considered that this informal approach be formally established.

8. The Draft Terms of Reference confirm the formal status of the PCWG and its area of focus and specific actions namely:
- All Member training to build a mutual understanding of the benefits of good Member and officer relationships and the Code of Conduct.
  - Councillors on Planning Committee to undertake mandatory training with annual refreshers Encouraged to read the NPPF.
  - Councillors on Planning Committee to observe a recognised best practice LPA Planning Committee at work.
  - Review and update the scheme of delegation.
  - Update call in protocols so they are based on material planning considerations, are time bound, include a responsibility for the Chair and Deputy Chair to check whether call ins are based on material planning considerations and ensure clarity about the view of the relevant member (refusal or approval).
  - Receive and consider updates regarding the progress of wider service transformation.
9. Matters around the composition of the group, the frequency of meeting and reporting mechanism is confirmed with the Terms of Reference.

### **Background Papers**

- a. Planning Committee Working Group-Draft terms of Reference (Appendix A)
- b. East of England LGA, Fit for Purpose Local Planning Authority and Development Management Improvement Plan, August 2021
- c. Planning Committee Report 24.11.21 (Appendix B)

## **APPENDIX A**

### **PLANNING COMMITTEE WORKING GROUP – DRAFT TERMS OF REFERENCE**

#### **1. Purpose**

The purpose of the Planning Committee Working Group is to monitor the procedures, training programme and practices of the Planning Committee to ensure that it works as effectively and as efficiently as possible, and that it makes consistent decisions. It shall also be responsible for schemes which were approved by Planning Committee and have been implemented.

#### **2. Status**

The Planning Committee Working Group is a working group of Council and shall be an advisory board to the Planning Committee. The Planning Committee Working Group will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Planning Committee Working Group will be established on a cross party basis.

#### **3. Areas of focus**

The Planning Committee Working Group will focus on improving the functionality of the Planning Committee. It will also take responsibility for progressing the timetable and actions required by the EELGA PEER Review as they relate to the Member Development Implementation Pathway and Planning Committee.

The actions are:

- All Member training to build a mutual understanding of the benefits of good Member and officer relationships and the Code of Conduct
- Councillors on Planning Committee to undertake mandatory training with annual refreshers Encouraged to read the NPPF
- Councillors on Planning Committee to observe a recognized best practice LPA Planning Committee at work
- Review and update the scheme of delegation
- Update call in protocols so they are based on material planning considerations, are time bound, include a responsibility for the Chair and Deputy Chair to check whether call ins are based on material planning considerations and ensure clarity about the view of the relevant member (refusal or approval).

It shall also receive verbal updates regarding the progress of wider Service Transformation.

#### **4. Reporting**

The Planning Committee Working Group will report to the Planning Committee with recommendations as necessary.

#### **5. Membership**

Membership of the Planning Committee Working Group shall consist of 5 Planning Committee Members and the Chair of the Planning Committee, following nominations by their Group Leaders to reflect the political composition of the Council.

#### **6. Meetings and ways of working**

The Planning Committee Working Group will meet every three weeks on the virtual meeting platform, Zoom.

**7. Review**

These terms of reference may be reviewed and amended by the Planning Committee from time to time.

**Committee:** Planning Committee  
**Date:** 24 November 2021  
**Title:** Establishment of Planning Committee Working Group  
**Author:** Nigel Brown  
Development Manager

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## Summary

1. The Planning Committee will recall receiving at the last meeting on 27 October 2021 the finalised report East of England LGA, Fit for Purpose Local Planning Authority and Development Management Improvement Plan, August 2021.
2. The report recommends a number of pathways for the transformation of the service. Two of these pathways relate to members. Specifically, Member Development and Planning Committee.
3. It is considered that the formal establishment of a Planning Committee Working Group would provide the necessary focus to take responsibility for progressing the timetable and actions required by the EELGA Peer Review as they relate to the member Development Implementation Pathway and Planning Committee. The Draft Terms of Reference is attached as Appendix A.

## Recommendations

4. Planning Committee to recommend that Full Council formally establishes a Planning Committee Working Group and approves the proposed Terms of Reference (Appendix A).

## Financial Implications

5. None

## Situation

6. An informal Planning Committee working party has been running successfully since the summer of 2019. This has brought forward appropriate changes to the workings of Planning Committee. In light of the emerging work from the EELGA Peer review it is considered that this informal approach be formally established.
7. The Draft Terms of Reference confirm the formal status of the PCWG and its area of focus and specific actions namely:
  - All Member training to build a mutual understanding of the benefits

of good Member and officer relationships and the Code of Conduct.

- Councillors on Planning Committee to undertake mandatory training with annual refreshers Encouraged to read the NPPF.
  - Councillors on Planning Committee to undertake mandatory training with annual refreshers Encouraged to read the NPPF.
  - Councillors on Planning Committee to observe a recognised best practice LPA Planning Committee at work.
  - Review and update the scheme of delegation.
  - Update call in protocols so they are based on material planning considerations, are time bound, include a responsibility for the Chair and Deputy Chair to check whether call ins are based on material planning considerations and ensure clarity about the view of the relevant member (refusal or approval).
  - Receive and consider updates regarding the progress of wider service transformation.
8. Matters around the composition of the group, the frequency of meeting and reporting mechanism is confirmed with the Terms of Reference.

### **Background Papers**

- a. Planning Committee Working Group-Draft terms of Reference (Appendix A)
- b. East of England LGA, Fit for Purpose Local Planning Authority and Development Management Improvement Plan, August 2021

# Agenda Item 18

## **Member Motion: Proposing an Independent Test Process for the Uttlesford Local Plan**

**Full Council, 7 December 2021**

**Motion proposed by: Cllr Isham**

**Seconded by: Cllr Dean**

### **MOTION:**

This Council has already committed to an environmental agenda that will include climate change mitigation. This must be central to the development of an innovative, green Uttlesford Local Plan which aims to guide the creation of a sustainable, resilient, healthy, ecologically diverse, beautiful and prosperous district.

To help ensure this commitment is fulfilled, Council agrees to the development of a multi-point test framework to evaluate and objectively to assess the emerging Local Plan during both its development and subsequent delivery phases throughout the life of the Local Plan. The benchmark testing regime will be developed and overseen by an independent body that draws upon local and national expertise and that learns from good practice elsewhere in the country.

**ENDS**



## **Member Motion: Action on violence and harassment against elected representatives and public servants, and the coarsening of public discourse, as proposed by Councillor Lees**

### **Full Council, 7 December 2021**

This Council notes the recent killing of Sir David Amess MP and passes on its heartfelt condolences to his family, friends and colleagues. This was both a personal tragedy and a heavy blow to the local and wider Essex community, and several Uttlesford councillors have lost a friend.

Council believes that this killing reflects, as does that of Jo Cox MP and other attacks on UK politicians and their staff before, that there has been an increase in harassment, intimidation, threats and violence against those elected to serve in public office, irrespective of political party, as well as those staff who have chosen careers in public service. This has been occurring at all levels of government, including local government, and including incidents of violence and harassment here in Uttlesford.

Council further notes the coarsening of public discourse over the years, accelerated more recently online and on social media in particular. We believe that this hostile activity by keyboard warriors, often anonymous, exists on a continuum with physical attacks, creating an unacceptable and negative context that both puts elected officials and public servants at risk, as well as discouraging others from entering public life. This impacts not only those people directly, but also their families and friends.

It is wrong. It must stop.

Council reaffirms the duty of elected members to reflect on and demonstrate the highest standards ourselves in our own actions, words and debates. Council believes that vigorous political debate and the holding to account of office holders is of vital ongoing importance to our local democracy, but equally resolves to reflect on the temperature and tone of our own discourse, and to lead by example.

Council welcomes the actions of Essex Police and Uttlesford District Council staff over recent weeks in reviewing and refreshing safety assessments, and for enhancing measures proportionately, in reflection of the duty of care owed to elected representatives and staff alike.

Council believes that this latest tragedy demands not just words but further hard action.

Council therefore resolves:

- To instruct the chief executive to work with elected members, staff and external partners, particularly Essex Police, to carry out an annual assessment of safety and security of both elected representatives, council staff and the public we serve in the course of our work, and to present that

report, with actions taken and recommendations as appropriate, each year to full Council for debate.

- To task our Standards Committee, in addition (and separate to) their work considering individual complaints, to consider the standards of discourse in public debate locally focused on the Council, both by members of the public and amongst councillors ourselves, and to report annually with conclusions and recommendations as appropriate for part of the same annual debate.

**Proposed by:** Councillor Lees

**Seconded by:** Councillor Criscione

## **Member Motion: Local Highways Panel Funding as proposed by Councillor Barker - Full Council, 7 December 2021**

“This Council affirms its commitment to contributing £200,000 to the Uttlesford Local Highways panel for the 2022-2023 and £200,000 for the 2023-2024 municipal years and will make this sum available by 10th April 2022 and 10<sup>th</sup> April 2023. This funding is not subject to any match funding by Essex County Council and the allocation of the available funds will be the responsibility of Uttlesford Local Highways panel. The decision to allocate this money is needed now in order that the Local Highways Panel when it meets in January can plan schemes up to the level of funding available. The Panel can only plan its work with a known budget as to do otherwise would be contrary to Local Government procurement rules”.

**Proposer:** Councillor Barker

**Secunder:** Councillor Sell

**Signatories:**

Councillor Criscione

Councillor Lemon

Councillor Smith

Councillor Oliver

Councillor Sell

Councillor Barker