

CABINET held in the COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 20 OCTOBER 2022 at 7.00 pm

Present: Councillor P Lees (Chair)
Councillors A Coote, J Evans, R Freeman, N Hargreaves,
L Pepper and M Sutton

Officers in attendance: P Holt (Chief Executive), B Ferguson (Democratic Services Manager), D Hermitage (Director of Planning) and A Knight (Assistant Director of Business and Change Management)

Also present: P Fairhurst (Liberal Democrat and Green Alliance Deputy Group Leader), N Gregory (Chair of Scrutiny Committee) and G Smith (Conservative Party Group Leader)

CAB37 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Armstrong and Reeve.

Councillor Fairhurst, Deputy Leader of the Liberal Democrat and Green Alliance Group, attended via Zoom in place of Councillor Caton, who had sent his apologies.

Councillors Coote and Freeman declared non-pecuniary interests as members of Saffron Walden Town Council.

CAB38 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting on 1 September 2022 were approved as a correct record.

CAB39 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL (STANDING ITEM)

There were no questions or statements from Non-Executive Members of the Council.

CAB40 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

Councillor Gregory provided a report on behalf of the Scrutiny Committee.

He informed Cabinet that Scrutiny had met once since the previous Cabinet meeting and that there had been four matters for consideration:

- The Zero Carbon Communities Fund, which Scrutiny had commended. He thanked the Assistant Director for Environmental Services and the Portfolio Holder for Environment and Green Issues for their work.
- The Economic Recovery Delivery Plan, which Scrutiny considered as an outstanding piece of work.
- The Update on Planning Service Improvements which identified that the Director of Planning had worked extremely well in the brief period he had been with the Council and he noted the much improved responsiveness to individual enquiries from residents. He said that significant further improvements were necessary to improve the quality of service, which he was confident that the Director of Planning would pay particular attention to.
- A joint meeting with the Local Plan Leadership Group on 10th October 2022 and a discussion was scheduled for 28 October 2022 between officers, Cabinet Members, portfolio holders, Chairs and Vice-Chairs regarding the appropriate way to take effective oversight and scrutiny of the Local Plan process going forward. He said there was eight months until they intended to go to Regulation 18, some of which would be within the pre-election period, so it would be vital to remain focused and clear that timely and accurate reports were provided to officers, portfolio holders and Full Council. Proposals would be reported back to Scrutiny and the Local Plan Leadership Group (LPLG).

CAB41 MATTERS REFERRED TO THE EXECUTIVE BY THE SCRUTINY COMMITTEE OR BY THE COUNCIL (STANDING ITEM)

There were no matters referred to the Executive.

CAB42 REPORT OF DELEGATED DECISIONS TAKEN BY CABINET MEMBERS (STANDING ITEM)

Cabinet noted the following delegated decision taken by the Leader:

- Designation of Great Easton, Duton Hill and Tilty Neighbourhood Development Area

Councillor Evans said that he had attended a Great Easton Parish Council meeting, had explained the services and support that the Council provides in relation to neighbourhood planning and was pleased to see that it was being acted upon.

CAB43 REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE (STANDING ITEM)

There were no decisions to report.

CAB44 GREAT AND LITTLE CHESTERFORD NEIGHBOURHOOD PLAN

The Chair resolved to move to agenda item 12 as Councillor Gregory was required to leave to attend a Parish Council meeting.

Councillor Evans, the Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan, presented the Great and Little Chesterford Neighbourhood Plan report. He commended the work of the Steering Group and proposed that Cabinet accept the Independent Examiner's recommended modifications to the Great and Little Chesterford Neighbourhood Plan in full and that the amended Great and Little Chesterford Neighbourhood Plan proceed to a Referendum in the Parishes of Great and Little Chesterford.

Councillor Coote seconded the proposal.

Councillor Gregory expressed his thanks to Officers who had assisted during the six years it had taken to reach this point. He also acknowledged the extensive work undertaken by the Parish Council's Steering Group, and in particular Councillors Fiona Wilkinson and Rachel Thackray who had both contributed an outstanding amount of detailed work over many years.

Councillor Pepper congratulated Great and Little Chesterford for their significant efforts. She said that it was important that the government provided the opportunity for communities to set out their positive vision of how they want their community and neighbourhood plan area to develop over time and ensure that new development was sympathetic to the surrounding area and met the needs of the community. She praised the introduction of allotments and the reopening of the village shop and asked whether consideration had been given to the introduction of electric vehicle charging points, which could possibly be grant funded.

Councillor Evans said that a Neighbourhood Plan did not prevent development but was an influential document that was part of the development plan once made and attention and weight would be afforded to them. He said that the Director of Planning had confirmed that there was a policy GLCMB3 which covered travel and electric vehicle charging points and was reflective of the Essex Design Guide.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED:

- I. That Cabinet accepts the Independent Examiner's recommended modifications to the Great and Little Chesterford Neighbourhood Plan in full as set out in the Schedule at Appendix 2 and notes the recommendation that the amended Great and Little Chesterford Neighbourhood Plan should proceed to a Referendum of voters within the Parishes of Great and Little Chesterford to establish whether the plan should form part of the Development Plan for Uttlesford District Council.

- II. That Cabinet approves the holding of a referendum relating to the Great and Little Chesterford Neighbourhood Plan and, that it would include all the registered electors in Great and Little Chesterford Parishes.

Councillor Gregory left the meeting at 7.18pm.

CAB45 BUDGET 2021/22 - FINAL OUTTURN

Councillor Hargreaves, the Portfolio Holder for Finance and the Budget, presented the Budget 2021/22 – Final Outturn report.

He recommended that Members:

- Note the General Fund, Housing Revenue Account and Capital Programme outturn positions
- Approve the updated use of reserves and the allocation of the surplus for the General Fund, set out in paragraph 12 and Housing Revenue Account, set out in paragraph 56
- Approve the requested slippage for the Capital Programme as set out in paragraph 64

Councillor Pepper said that the two items identified by members as a priority were Climate Change and economic recovery. There had been an underspend which would be held in the reserves for two years, although nearly a third would be spent imminently. The waste management over spend of £405,000 was as a result of staff vacancies and additional agency fees and the reduction in trade waste income of £118,000 was due to businesses being closed during the pandemic.

In response to a question from Councillor Smith, Councillor Hargreaves said that:

- The Housing Revenue Account included a Public Loans Board long term fixed loan
- The commercial investments included a loan with Phoenix Life
- Other loans were covered within the Treasury Management report
- Since the end of March 2022 there was a further £80million Public Loans Board finance
- The response to Councillor Caton`s question shared with Full Council provided further in depth information

The Chief Executive said that they were modelling how it would look going forward which would be shared at the Member briefing scheduled for 22 November 2022.

In response to a question from Councillor Evans, Councillor Hargreaves said that the funds collected on behalf of other authorities as part of the Council Tax billing process were immediately forwarded to the appropriate authority. However, for accounting purposes these funds had been calculated as income, which created a distorted picture.

The Assistant Director of Business and Change Management said that some of the reserves were ringfenced for specific items and activities, such as the Business Rates Relief Section 31 grant and the Licensing reserves which was directly attributable to taxi licensing. There was also earmarked reserves which were allocated as appropriate.

In response to a question from the Leader, Councillor Hargreaves said that the auditor had not yet completed the audit due to staffing issues, which was a national issue.

In response to a question from Councillor Coote, the Assistant Director of Business and Change Management said that the slippage on empty dwellings was related to unrequired repair costs. An average budget would be set as it was not possible to predict exactly what repairs would be necessary and spend would fluctuate year on year.

Councillor Evans noted that the report included details of the Local Plan costs on paragraph 24 and provides complete information running through until 2026.

The Chief Executive said that although the Local Plan was delayed the overall budget had not changed.

Councillor Hargreaves said that it was possible that the delay could reduce the cost of delivering the Local Plan, as additional costs would have been incurred had the incomplete draft plan been taken to Regulation 18 prematurely.

Councillor Freeman seconded the proposal.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED to:

- I. Note the General Fund, Housing Revenue Account and Capital Programme outturn positions.
- II. Approve the updated use of reserves and the allocation of the surplus for the General Fund, set out in paragraph 12 and Housing Revenue Account, set out in paragraph 56.
- III. Approve the requested slippage for the Capital Programme as set out in paragraph 64.

CAB46 TREASURY MANAGEMENT 2021/22 - FINAL OUTTURN

Councillor Hargreaves presented the Budget 2021/22 – Final Outturn report.

He recommended that Members note the 2021/22 Treasury Management Outturn attached as Appendix B.

Following a question from Councillor Evans the Assistant Director of Business and Change Management said that the investments were held within the United Kingdom as per the Council's Investment Strategy.

The report was noted.

CAB47 LOCAL COUNCIL TAX SUPPORT SCHEME PROPOSALS - 2023/24 AND CONSULTATION RESPONSES

Councillor Hargreaves presented the Local Council Tax Support Scheme Proposal – 2022/23 and Consultation Responses report.

He recommended that:

- Council approve the Local Council Tax Support Scheme for 2023/24 as set out below:
- The contribution rate is frozen for the ninth consecutive year at 12.5%.
- The Council continues to protect Vulnerable and Disabled Residents and Carers on a low income.

Following a question from Councillor Coote, Councillor Hargreaves agreed that the Local Council Tax Support item 11f would be reviewed to include more sympathetic adjectives.

Councillor Coote seconded Councillor Hargreaves' proposal.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED that Cabinet approved the Local Council Tax Support Scheme for 2023/24 as set out below:

- I. The contribution rate was frozen for the ninth consecutive year at 12.5%.
- II. The Council continued to protect Vulnerable and Disabled Residents and Carers on a low income.

CAB48 CHRISTMAS CAR PARKING INCENTIVES

Councillor Freeman, the Portfolio Holder for Public and Council Services, presented the Christmas Car Parking Incentives report.

He recommended that Members approve the proposal, which was seconded by Councillor Sutton.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED to approve:

- I. Free parking all day on Friday 25th November and Saturday 26th November 2022 in Saffron Walden (excluding Fairycroft Road) Great Dunmow and Stansted Montfitchet.
- II. Free parking from midday on the following dates; i. Saffron Walden (excluding Fairycroft Road car park) on 18/11, 30/11, 7/12, 14/12 and 21/12 ii. Great Dunmow on 1/12, 8/12, 15/12 and 22/12 iii. Stansted Mountfitchet on 1/11, 8/11, 15/11 and 22/11.
- III. Free parking all day between Christmas 25/12/22 – 1/1/23 (inclusive) in Saffron Walden (excluding Fairycroft Road), Great Dunmow and Stansted.

CAB49 **LOCAL DEVELOPMENT SCHEME (LOCAL PLAN REGULATION 18 CONSULTATION)**

Councillor Evans presented the Local Development Scheme (Local Plan Regulation 18 Consultation report.

He said the delay to the Local Plan process was not a political decision and was a matter that had resulted from an Officer's recommendation as identified in the report to the joint meeting of Scrutiny and the LPLG on 10th October 2022. Such a delay was not unique to the authority, was a common occurrence and would permit a more coordinated approach to the evidence base

He recommended that Members adopt the revised Local Development Scheme of the Local Plan.

Councillor Pepper read Councillor Pavitt's report which said that it had been seventeen years since the last Local Plan was published. This was the fourth recent attempt, this time against a background of chronic nationwide shortage of planning professionals, the disruption of the pandemic and continued defunding by the government. She said that the Administration needed to up their game to get the Local Plan across the line and that she was confident that the right people were in place to deliver.

Councillor Coote thanked Councillor Evans and officers for their hard work. He said that the most important thing was that the best Local Plan was achieved not when it was achieved.

Councillor Freeman echoed Councillor Coote's comments and said that the work undertaken behind the scenes was integral. However, he said that he would like to see some more original thinking as the Council would face the same results if it continued to apply the same approach to this Local Plan.

The Leader said there would be a strong evidence base for the emerging Local Plan and that she had great faith in the Director of Planning and the Interim Local Plan and New Communities Manager, who was experienced in delivering a Local Plan in a rural district. Furthermore, a discussion was taking place between officers and members regarding governance and oversight of the

process. There had been criticism that the draft Local Plan would not be delivered before the May 2023 election; she noted that the Local Plan was not and should not be political.

Councillor Freeman seconded the proposal.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED: to adopt the revised Local Development Scheme of the Local Plan.

CAB50 ZERO CARBON COMMUNITIES FUND

Councillor Pepper, the Portfolio Holder for Environment and Green Issues, Equalities, presented the Zero Carbon Communities Fund report.

She recommended that Members approve the proposed principles set out in appendix 1 of the report and note the draft timetable for Round 1 bids set out in appendix 2.

In response to a question from Councillor Coote, Councillor Pepper said that a panel likely consisting of herself and Councillor Pavitt would consider valid applications to the fund and successful applications would then be put forward to Cabinet as recommendations for consideration.

The Chief Executive said that the process would mirror the existing grants programme which was well known to a number of the local groups that would likely apply and was tried and tested within the authority.

Councillor Coote seconded the proposal.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED: to approve the proposed principles and note the draft timetable.

CAB51 INDEPENDENT HOUSING OMBUDSMAN'S SCHEME COMPLAINTS HANDLING CODE SELF ASSESSMENT

Councillor Coote, the Portfolio Holder for Housing, presented the Independent Housing Ombudsman's Scheme Complaints Handling Code Self Assessment report.

He recommended that Members approve the Self Assessment of the Independent Housing Ombudsman's Scheme Complaints Handling Code and commended the Chief Executive for his handling of the situation.

Councillor Hargreaves seconded the proposal.

The Leader moved to a vote. The proposal was approved unanimously.

RESOLVED: to approve the Self Assessment of the Independent Housing Ombudsman`s Scheme Complaints Handling Code.

CAB52 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under section 1001 of the Local Government Act 1972, the public be excluded for the following items of business due to consideration of reports containing exempt information within the meaning of section 1001 and paragraphs 1, 3 and 5 part 1 Schedule 12A Local Government Act 1972.

CAB53 COMPLAINT UPHELD BY THE LOCAL GOVERNMENT OMBUDSMAN

The Chief Executive presented the Complaint Upheld by the Local Government Ombudsman report.

He recommended that Members note the actions taken by officers in response to the findings of the Local Government and Social Care Ombudsman, both directly related to the individual complainant, but also to the neighbouring homes.

The report was noted.

The meeting ended at 8:41pm.