

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 29 JUNE 2023 at 7.00 pm

Present: Councillor P Lees (Chair)
Councillors A Coote, J Evans, N Hargreaves, N Reeve and M Sutton.

Officers in attendance: P Holt (Chief Executive), J Etherington (Assistant Director of Finance), B Ferguson (Democratic Services Manager) and A Knight (Assistant Director - Business and Change Management).

Also in attendance: Councillors S Barker (Leader of the Conservative Group), C Criscione, N Gregory (Chair of the Scrutiny Committee) and G Sell (Leader of the Liberal Democrat Group).

J Sharp (Public Speaker).

CAB1 PUBLIC SPEAKING

Mrs Jane Sharp addressed Cabinet on the matter of the electricity sub-station at Mortimer's Gate, Saffron Walden. A summary of her statement has been appended to these minutes.

CAB2 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

There were no declarations of interest.

CAB3 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 March 2023 were approved as a correct record.

CAB4 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL (STANDING ITEM)

In response to a question from Councillor Sell regarding commercial tenants in the council's offices, the Chief Executive confirmed that a list of tenants could be shared with members but this would not include commercially sensitive data.

CAB6 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

No reports received.

CAB7 REPORT OF DELEGATED DECISIONS TAKEN BY CABINET MEMBERS (STANDING ITEM)

Cabinet noted the delegated decisions made since the previous meeting:

- [Appointments to North Essex Parking Partnership](#) – 2 June 2023
- [Appointments to Outside Bodies](#) – 2 June 2023
- [Response to DLUHC consultation on Planning Fees and Performance](#) – 18 April 2023

CAB8 REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE (STANDING ITEM)

There had been no determinations of Assets of Community Value to report.

CAB9 APPOINTMENTS TO COMMITTEES OF CABINET 2023/24

The Leader proposed taking Items 8-11 en bloc as they all related to member appointments within the remit of Cabinet.

Councillor Evans proposed approval of the member appointments set out in the reports. Councillor Reeve duly seconded.

Councillor Barker noted the appointment to the Parking and Traffic Regulation outside London Adjudication Committee and said she would advise the relevant member to check the papers before travelling to any such meetings, as they were not always relevant to Uttlesford.

RESOLVED to approve appointments to committees of Cabinet for 2023/24:

Assets of Community Value and Local Heritage List Committee:

Cllrs M Sutton (C), J Evans, N Reeve

Voluntary Support Grants Committee:

Cllrs N Hargreaves (C), P Lees, M Sutton and N Reeve

CAB10 APPOINTMENTS TO WORKING GROUPS OF CABINET 2023/24

RESOLVED to approve the terms of reference and appointments to Working Groups of Cabinet for 2023/24 [as set out in the report](#).

CAB11 **OUTSIDE BODIES APPOINTMENTS 2023/24**

RESOLVED to approve appointments to Outside Bodies for 2023/24:

| Organisation | Number | Representative (s) |
|--|---------------|---------------------------|
| Armed Forces and Community Covenant | 1 | Daniel McBirnie |
| Board of Turpins Indoor Bowling Club | 1 | Alex Reeve |
| Campaign to Protect Rural Essex | 1 | Martin Foley |
| Committee of the Friends of the Maltings | 1 | Alex Armstrong |
| Community Safety Partnership | 1 | Maggie Sutton |
| Cooperation for Sustainable Development Board | 1 | John Evans |
| Dunmow Day Centre Management Cttee | 1 | John Davey |
| Dunmow Museum Management Cttee | 1 | John Davey |
| Dunmow Town Strategy Group | | Alex Armstrong |
| Essex County Traveller Unit | 1 | Chris Criscione |
| Essex Coastal Forum | 1 | John Evans |
| Essex Councils Climate Forum | 1 | Neil Reeve |
| Essex Flood Partnership Board | 1 | Richard Pavitt |
| Essex Waste Partnership Board | 1 | Neil Reeve |
| Friends of Bridge End Gardens | 1 | Richard Freeman |
| Harlow and Gilston Garden Town Board | 1 | John Evans |
| Historic England Heritage Champion | 1 | Geoffrey Sell |
| Local Government Association - General Assembly | 1 | Petrina Lees |
| LGA – SPARSE Rural Assembly | 1 | John Evans |
| Local Strategic Partnership | 1 | Maggie Sutton |
| UK Innovation Corridor | 1 | Petrina Lees |
| Parking and Traffic Regulation outside London Adjudication Committee | 1 | Geof Driscoll |
| Saffron Walden Arts Trust | 1 | Chloe Fiddy |
| Saffron Walden Business Improvement District (SW BID) | 1 | Neil Hargreaves |
| Saffron Walden Museum Society | 1 | Maggie Sutton |
| Stansted Airport Consultative Committee | 1 | John Evans |
| Stansted Airport Community Trust Fund | | Maggie Sutton |
| Strategic Aviation Special Interest Group | 1 | John Evans |
| Thaxted Guildhall Management Cttee | 1 | Mike Tayler |
| Uttlesford Association of Local Councils | 1 | Petrina Lees |
| Uttlesford Citizens' Advice Bureau | 1 | Richard Freeman |
| Uttlesford Community Travel | 1 | Geoffrey Sell |
| Uttlesford Norse Services Ltd Board | 1 | Petrina Lees |
| Uttlesford Norse Services Ltd Liaison | 1 | Arthur Coote |

CAB12 APPOINTMENTS TO THE NORTH ESSEX PARKING PARTNERSHIP AND THE WEST ESSEX WELLBEING JOINT COMMITTEE

RESOLVED to approve appointments to Joint Committees for 2023/24:

North Essex Parking Partnership:

Substantive Member: Cllr N Hargreaves

Substitute Member: Cllr N Reeve

West Essex Wellbeing Joint Committee:

Cllrs M Tayler and M Sutton

CAB13 OFFICER DECISIONS - WRITE OFFS 2022/23

Councillor Hargreaves presented the report regarding Officer Decisions – Write Offs 2022/23, which detailed Officers decisions under delegated powers to authorise write offs less than £10,000 in line with the constitution and the Financial Regulations. He said the amounts written off had been through the council's recovery process and proved to be either unrecoverable or uneconomical to pursue any further.

In response to a question from Councillor Sell regarding the 50% increase in write-offs' and whether this was indicative of an ongoing trend, Councillor Hargreaves said he hoped there would be no further economic impact from Covid-19, but the country was contending with high interest rates and this would have a delayed impact.

In response to a question from Councillor Sell regarding a contingency plan for council tax collection in light of high interest rates and the negative impact this would have on residents coming off fixed rate mortgages, the Assistant Director of Business and Change Management said debt provision was always factored in during the budget setting process.

In response to a question from Councillor Barker regarding the increase in 'write-offs' in the previous financial year, the Assistant Director of Business and Change Management said the previous year was very low as there had been a freeze on collection during the pandemic.

The report was noted.

CAB14 LOCAL COUNCIL TAX SUPPORT SCHEME PROPOSALS - 2024/25

Councillor Hargreaves presented the report on the Local Council Tax Support Scheme Proposals 2024/25, which were reviewed on an annual basis before being circulated for consultation. He said the proposal was similar to last year's scheme and highlighted the Exceptional Hardship Fund and the Cost of Living

Support Fund as additional measures of support. He moved that Cabinet agree the proposals for consultation. This was seconded by Councillor Sutton.

In response to a question from Councillor Reeve regarding assistance to residents who did not have the correct paperwork, the Assistant Director of Business and Change Management said there were dedicated hardship officers who would make numerous attempts to contact applicants to provide help where required on applications.

The Chief Executive added that the general approach was to maximise the entitlement of claimants.

Councillor Barker requested that details on the Scheme be circulated to all members.

In response to a question from Councillor Sell, the Leader confirmed the Council was in contact with the Department for Work and Pensions.

In response to a question from Councillor Coote, the Assistant Director of Business and Change Management said home visits were assessed on a case by case basis.

RESOLVED to agree the Local Council Tax Support Scheme for 2024/25 is consulted on the following basis:

- I. The contribution rate is frozen at 12.5% for 2024/25.
- II. The Council continues to protect Pensioners, Vulnerable and Disabled Residents and their Carer's on a low income

CAB15 **2022/23 FINANCIAL OUTTURN**

Councillor Criscione arrived at 7.55pm.

Councillor Hargreaves presented the Financial Outturn 2022/23 report, which provided the outturn position for the General Fund, Housing Revenue Account (HRA) and Capital Programme. It also provided an update on the Council's reserve position, and a brief summary of treasury management activity for the year. He highlighted the HRA deficit position and the significant service variances which were not funded through ear-marked reserves in the form of underspends and increased income, and overspends and reduced income. He proposed the recommendations set out in the report.

Councillor Coote seconded the proposal.

In response to a question regarding borrowing, Councillor Hargreaves said this would be addressed during the Treasury Management item.

In response to a question regarding the Superfast Broadband reserve, it was confirmed that £600,000 would be held in reserve until the project had been

delivered. It was confirmed that Essex County Council was the contracting party.

In response to a question regarding the Sports Grants reserve, Councillor Hargreaves confirmed a small amount would be carried forward but the funds would be released when the agreed criteria had been delivered by the relevant organisations.

Councillor Barker said the Climate Change reserves had increased; she asked why this was the case.

Councillor Reeve said the climate change budget would be spent and the administration would continue with its current commitments. However, the three year programme would not solve climate change and the council needed to ensure all schemes were sustainable.

Councillor Gregory said the HRA was in a “sensitive” position and asked for assurances that further issues with the housing portfolio would not be found in future.

The Assistant Director – Finance said there were two relevant but separate issues regarding the HRA; the HRA budget for the current year and the 5 year MTFFS forecasted an operating surplus year-on-year, and therefore he was comfortable that the HRA was financially sustainable in terms of day-to-day operations. The other issue was in relation to capital expenditure. He said officers were looking at how capital expenditure for new developments would be financed in future and the 30 year plan was under review.

In response to a question regarding sports grants, it was confirmed that £55,000 had not yet been allocated.

RESOLVED to:

- I. Note the contents of this report, including the General Fund, HRA and Capital Programme outturn positions and Medium Term Financial Strategy update;
- II. Approve the proposed General Fund reserve movements set out in the table at paragraph 21, and approve placing the General Fund underspend amount of £342,000 in the Medium Term Financial Strategy reserve;
- III. Approve the proposed Housing Revenue Account reserve movements set out in the table at paragraph 33, and approve funding the Housing Revenue Account deficit amount of £91,000 from the Housing Revenue Account Revenue Reserves; and
- IV. Approve the capital slippage requests totalling £14.442 million as set out at paragraph 40.

Councillor Hargreaves presented the report regarding Treasury Management Outturn 2022/23, which outlined the Council's borrowings, investments and the associated risk controls related to such treasury activity.

In response to a question, the Assistant Director of Finance said he and the Director of Finance and Corporate Services had taken advantage of borrowing rates in the lead-up to the September 2022 'mini-budget' of the former Prime Minister Liz Truss. This was subsequently proven to be the correct course of action as borrowing rates increased sharply in the following days.

The Assistant Director of Finance was commended for the report.

The report was noted.

CAB17 HOUSING UPDATE - REPAIRS AND MAINTENANCE

Councillor Coote presented the Housing Update report, which provided an update on the current status of the repairs and maintenance services provided by Uttlesford Norse Services Ltd (UNSL) and the work being delivered by the council in working with UNSL to drive up performance and increase tenant satisfaction. He highlighted details relating to health and safety compliance and performance following the self-referral to the housing regulator in August 2022, and the stock survey and remediation work for issues such as damp and mould that followed. In regards to general maintenance performance, he said that UNSL were underperforming in the management of voids and responsive repairs. He provided an update on the Fire Safety issues at Reynolds Court, whereby the original developer had been held to account and had now completed the remedial works, subject to resolving the findings of an independent safety review. Other sheltered schemes in the district would also be inspected.

The Chief Executive said there were no other builds in the district that resembled the Reynolds Court but due diligence would be carried out on other units; the Council would be as sure as possible to pick up any unknown issues.

Councillor Gregory asked how the back-log of maintenance work would be paid for and how sure was the Portfolio Holder for Housing that there were no further "unknown unknowns".

Councillor Coote said he hoped there would be a change in funding from central Government and that the Council's review of the issues had been robust. He would report back to Scrutiny Committee in due course to provide a progress report.

In response to a question from Councillor Barker regarding tenants in private rented accommodation, the Chief Executive confirmed that the Council owed its highest duty to tenants in council housing, as it was the landlord. Councillor Coote added that he did want to help other tenants and planned to speak to local Housing Associations in future.

The report was noted.

CAB18 **BLUEPRINT UTTLESFORD - UPDATE**

Councillor Gregory left the meeting at 21.05.

The Leader presented the report on Blueprint Uttlesford, which provided detail on the Council's overarching corporate change programme. Progress on the Workforce Plan was highlighted, as were the overarching principles the programme which would guide Blueprint Uttlesford as the Council moved forward.

The Chief Executive was invited to speak to the service review schedule, whereby each Council service or function would be reviewed once over the next four years, and said the intention was to avoid "salami slicing" and to increase sustainable income streams, such as car parking, where possible. The document was live and subject to change, and important decisions would be brought to the consideration of members as individual items, such as investment decisions, as well as part of the Budget setting process. He said the range of savings required were between £6.4 – 8.1 million as stipulated in the MTFS 2023 – 2028, and there would be fewer staff working for the council in four years' time. Resilience needed to be built into the Council in order to avoid single points of failure.

Councillor Barker left the meeting at 21.25.

The Leader proposed approval of the recommendations set-out in the report; this was seconded by Councillor Reeve.

RESOLVED:

- I. To note the progress in developing the Workforce Plan, as set out in paragraphs 11-12 of the report.
- II. To approve the overarching principles to be applied throughout the Blueprint Uttlesford programme, as set out in section 13-17 of the report.
- III. To approve the schedule of service reviews for the next four financial years as set out in section 18 to 19 of the report.
- IV. Cabinet is asked to note the structure in place to deliver the Blueprint Uttlesford change programme as set out in sections 20 to 32 of the report.

The meeting was closed at 21.30.

Summary of Statement for UDC Cabinet Meeting of 29 June 2023 – Mrs. Jane Sharp, Mortimer’s Gate Electricity Substation

Mrs. Sharp addressed Cabinet on the issue of Mortimer’s Gate, an electricity sub-station in Saffron Walden. She said that in September 2022 the Ombudsman had ruled that UDC was at fault for failing to properly discharge a planning condition about noise mitigation relating to the Mortimer’s Gate substation. The failure, which the Council agreed to remedy, continued to impact on the health and welfare of residents.

She said she had moved near to the sub-station in order to return to Saffron Walden to be close to her family, and there was nothing else affordable on the market. She had been promised by the developer an acoustic fence which would reduce the noise; she said this had made no difference. Residents in the social housing were also affected by the noise.

She said the situation could have been avoided if UDC had taken 3 vital steps.

1. Carried out a proper on site noise risk assessment.
2. Consulted with UK Power (UKPN) who would have advised them of the necessary action to take.
3. Put in place an adequate planning condition which considered the type and construction of the proposed fence and whether or not it would be effective.

She said Council tax payers should not have to foot the bill; this should fall to the developer, who had built social housing around the sub-station and provided an ineffective acoustic fence, which showed scant regard for the welfare of tenants.

She said that the Ombudsman had ruled that the council was at fault, and recommended that UDC should work with the developer to implement the mitigation measures.

As the developer had refused to contribute, it was down to the council to fund these measures. She said she understood the financial constraints the council was under but if the council was unable to fund these measures they should have not have agreed to the Ombudsman’s final decision last September.

She said it had taken three years of endless complaint processes, correspondence to arrive at this stage and residents had now had to put up with the constant noise nuisance for 4 years. It was unreasonable and unfair to residents to delay any longer.