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Uttlesford District Council

Chief Executive: Peter Holt

Scrutiny Committee

Date: Wednesday, 11th October, 2023

Time: 7.00 pm

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

Chair: Councillor N Gregory

Members: Councillors M Ahmed, G Bagnall (Vice-Chair), C Criscione,
B Donald, R Gooding, R Haynes, S Luck, C Martin, A Reeve and
G Sell

Substitutes: Councillors N Church, M Coletta, G Driscoll, R Pavitt and R Silcock

Public Speaking

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AGENDA

PART 1

Open to Public and Press

- 1 Apologies for Absence and Declarations of Interest**
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the Previous Meeting** 5 - 17
To consider the minutes of the previous meetings on 22 August and 22 June 2023.
- 3 Responses of the Executive to reports of the Committee**
To consider any responses of the Executive to reports of the Committee.
- 4 Consideration of any matter referred to the Committee in relation to call in of a decision**
To consider any matter referred for call in.
- 5 Cabinet Forward Plan** 18 - 22
To receive the updated Cabinet Forward Plan.
- 6 Scrutiny Work Programme** 23
To receive the Scrutiny Work Programme for 2023-24.
- 7 Corporate Plan** 24 - 39
To consider the Corporate Plan.
- 8 Council Housing Management Update** 40 - 47
To receive the update report regarding Council Housing Management.
- 9 Local Plan – Project Plan April to September 2023** 48 - 55
To consider the Local Plan – Project Plan April to September 2023.

MEETINGS AND THE PUBLIC

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EXTRAORDINARY SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 22 AUGUST 2023 at 7.00 pm

Present: Councillor N Gregory (Chair)
Councillors G Bagnall, B Donald, R Gooding, R Haynes, S Luck and A Reeve

Officers in attendance: D Hermitage (Strategic Director of Planning), P Holt (Chief Executive), T Howes (Locum Legal Services Manager and Deputy Monitoring Officer) and C Shanley-Grozavu (Democratic Services Officer)

Also Present: Councillors J Evans (Portfolio Holder for Planning), R Freeman (Ward Councillor for Saffron Walden Castle) and P Lees (Leader of the Council)

Public Speakers: D Buscombe, M Harrison (Written Statement), J Sharp, K Waters and S Wicks (Written Statement)

SC9 PUBLIC SPEAKERS

Introductory remarks were made by the Chair.

Written statements were read out by the Vice-Chair from Martin Harrison and Sophie Wicks.

Jane Sharp, Kate Waters and Debbie Buscombe also addressed the Committee.

Copies of all statements have been appended to these minutes.

Councillor Church arrived at 19:03

SC10 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received by Councillors Criscione and Sell.

Apologies for lateness were received from Councillor Church, who was substituting for Councillor Criscione.

The Deputy Monitoring Officer addressed the meeting to outline the legal advice which had been provided to the members.

SC11 PLANNING AND ENVIRONMENTAL HEALTH ISSUE - ELECTRICITY SUB-STATION, MORTIMER'S GATE, SAFFRON WALDEN

The Leader of the Council introduced the Cabinet report regarding the Planning and Environmental Health issue at the electricity sub-station at Mortimers Gate, Saffron Walden.

She highlighted that it had taken so long to get to the current position due to delays from Covid and paid tribute to Jane Sharp, along with ward Councillors Asker and Freeman, for their work and campaigning.

She said that at the heart of the matter, the Council were dealing with residents which had a persistent noise nuisance. It was confirmed that all Cabinet members had visited the site, along with Planning Officers and members of the Scrutiny Committee.

The Chief Executive provided members with an outline of the issue, which answered the following questions:

- What happened back in 2018, what was wrong with it, and what lessons have been learned to avoid this in future?
- What this means as of today in terms of noise nuisance?
- What is the engineering solution?
- Where does liability lie (inc Ombudsman recommendation acceptance issues)
- The governance process required to reach a clear decision now

The Leader of the Council confirmed that constitutionally, the decision laid with the Council's Cabinet however, following campaigning from the ward members, the view of Full Council would be sought first, before finally determining the matter. Scrutiny Committee were also invited to examine the technical evidence and offer their feedback.

The Chair highlighted that the decision could have been decided at officer level and he commended the Chief Executive and his team for allowing members the opportunity to decide.

Councillor Freeman then addressed the Committee as the ward member for Saffron Walden Castle, where the estate was located. He said that this was not a political issue, rather a moral issue as the public had a right for elected officials to do their job properly.

He said that the challenge before the Committee was a "nightmare scenario". He explained that the estate had been developed on a Brownfield site, which were much sought after by developers as they were usually cheaper and well-placed, but there was also a responsibility from the developer to mitigate any unacceptable features or liabilities. The substation in question was designed for the former Acrow galvanizing factory, but now powered half of Saffron Walden. It should have never been in the middle of a housing estate and whilst the noise could be mitigated for residents; the substation would never be silent.

He said that he personally felt that the Council had a moral duty to fix the problem, even if it was not a legal one. There was a large density of housing along the substation, most of which was affordable and social housing. The saying "let buyers beware" didn't work in this scenario as it was on a private site and buyers could not have gone to look at the surroundings before the homes were built.

He concluded by saying that it was not an easy solution, and the responsibility lay with the developer, but this couldn't be enforced. It was therefore for the Council to do their best to fix it.

Members discussed the proposals within the Cabinet report and the following was noted:

- The sub-station had been classified as a statutory noise nuisance which required action to be taken to mitigate. Should the Council agree to fund the remedial works, then the proposal would replace the existing acoustic fencing with a solid brick structure which would entirely surround the substation. The replacement would have a potentially bigger footprint than the existing, due to the inclusion of a roof. The mitigation would be funded using the strategic reserves over a number of years.
- Whether the Council agree to fund the works or not will result in some form of reputational damage. If members voted against officer advice, it is possible that the decision could have an adverse effect on the auditors' determination of 'use of resources' and therefore their 'value for money' assessment. The impact of a negative or qualified value for money assessment from our external auditors would generally reduce public confidence in the authority. Alternatively, voting in favour of officer advice would result in reduce public confidence elsewhere. It was officers' opinion that these risks potentially outweighed each other, and members needed to consider what they felt was right. Members argued that by doing the right thing would help restore public confidence.
- Whilst they only had an outline indication of cost, officers were cautious about getting a second opinion due to time and cost. Furthermore, they would have to use a builder approved by UKPN and there was only one.
- The Director of Planning had offered assurances to members that this situation would not happen again in the district; especially given the Planning department had undergone three peer reviews and an improvement programme since the permission was granted. He, along with the Portfolio Holder for Planning, were applying learning across the department and a report would be brought to the Planning Committee Working Group concerning the lessons learnt.
- The Ombudsman were only able to comment on the failings of public administration and not corporate bodies, such as the developer. It was clarified that the Council were provided with a copy of the draft report of the Ombudsman's findings, but this was to correct any errors and not challenge the decision. It was unfortunate that the Ombudsman subsequently then said the Council accepted the recommendations.

The Chief Executive clarified that during his discussions with Bloor Homes, he had consciously sought not to legally represent the residents of the Mortimers Gate estate. The Council were not in a position to advise the residents of a case against the developer as these were both third parties and commenting on such dispute ran the risk of the Council becoming a shadow litigator.

In addition, the Chief Executive confirmed that two figures had been presented to members; one was a cost estimate from the engineer, and another was an estimate which included a built-in contingency. He was confident that the higher figure would cover to funds required but if it could not be finished at this cost, then

it would be brought back to members to review.

Councillor Freeman summarised that it had been a balanced and calm debate. He said that he was still unchanged in his view that the Council had a moral duty to fix the noise nuisance and recommended that members voted for the higher figure in order to get on with the job as quickly as possible. He said the situation could be a learning exercise for Planning departments both here and across the country.

RESOLVED: that

1. Scrutiny recognises that behind this technically and legally complicated situation is a set of residents living all day and all night with a noise nuisance.
2. Scrutiny commends Mrs Jane Sharp for her assiduous campaigning on this issue.
3. Scrutiny invites Cabinet/Council to note that the current administration and senior officers are bringing forward for resolution a mess from 2018 not of their making and commends them for grasping this nettle.
4. Scrutiny commends the Cabinet and senior officers for their thoroughness in seeking to explore and exhaust every reasonable alternative route towards resolution.
5. Scrutiny commends the Ward Councillors for Saffron Walden Castle for their consistent campaigning on behalf of their residents.
6. Scrutiny advises Cabinet/Council to welcome the description of the complex governance position, which essentially places a double lock on any decision to step in and fund the necessary engineering solution and commends the Cabinet for being prepared to effectively invite all 39 members to take part in the primary debate and vote on this issue, rather than just taking them a Cabinet decision to approve on money grounds.
7. Scrutiny advises Cabinet/Council to accept that the independent external evidence provided on the ongoing scale and extent of the noise problem is thorough and objective.
8. Scrutiny urges Cabinet/Council to accept that officers have sought the advice of independent experts as to the necessary engineering solution as set out in the report, and as costed in the confidential appendix and to accept that this is what needs to be put in place to provide a credible and lasting solution to the noise nuisance experienced by residents.
9. Scrutiny urges Cabinet/Council to accept that the legal advice provided, including reflecting external KC advice, sets out clearly that the Council does not have liability for funding this engineering solution, but that simultaneously, the Council does have the discretion to authorise this funding.
10. Scrutiny further urges Cabinet/Council to accept that the legal advice provided, reflecting external KC advice, demonstrates clearly that there are no other legal recourses available to the authority to pursue, whether through litigation or regulatory action.
11. Scrutiny urges Cabinet/Council to accept that UK Power Networks have cooperated positively and consistently throughout this saga, and are neither responsible for the situation nor liable for its resolution.
12. Scrutiny urges Cabinet/Council to express its dissatisfaction in the

strongest terms with Bloor Homes' decision not to step up, take responsibility, and fund these necessary works itself.

13. Scrutiny notes that the Portfolio holder for Planning and Director of Planning will be working to ensure that suitable policies are brought forward to prevent an occurrence in the future.

The Chair proposed that the Scrutiny Committee support the option to fund the remedial works without acceptance of liability, subject to Council approving the additional expenditure.

He requested that a recorded vote be taken.

Cllr Bagnall	For
Cllr Church	For
Cllr Donald	For
Cllr Gooding	For
Cllr Gregory	For
Cllr Haynes	Abstain
Cllr Luck	For
Cllr A Reeve	For

RESOLVED: that Scrutiny Committee support the option to fund the remedial works without acceptance of liability, subject to Council approving the additional expenditure.

Meeting ended at 20.55

**SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 22 JUNE
2023 at 7.00 pm**

Present: Councillor N Gregory (Chair)
Councillors M Ahmed, G Bagnall, C Criscione, B Donald,
R Gooding, R Haynes, S Luck and A Reeve

Officers in attendance: R Auty (Assistant Director - Corporate Services and Monitoring Officer) and C Edwards (Democratic Services Officer)

The Chair explained the purpose and remit of the Committee. He welcomed new Members.

SC1 PUBLIC SPEAKERS

Mr Andy Dodsley and Mr Peter Bright addressed the meeting, copies of their statements have been appended to the minutes.

The Chair made the following comments:-

- The Local Plan Leadership Group (LPLG) and Local Plan Scrutiny had not been able to meet since March due to the pre-election period which restricted political discussion and policy making and at this time all committees and working groups were disbanded until after the election.
- The LPLG would not be reconstituted until after the Cabinet meeting on the 29th June when the new working groups and membership were approved.
- Although there was nothing in the Scrutiny work plan specifically about the Local Plan he expected that there would be an update in the 7th September Scrutiny Committee.
- The Portfolio Holder for Planning and the relevant officer had been e-mailed today for a reply to the questions raised by the speakers at the previous meeting of Local Plan Scrutiny in March.
- As far as he knew the Local Plan was on track for the 27th October date.
- LPLG meetings would be scheduled shortly.
- Progress would be monitored by the administration, the Chief Executive, Officers and most importantly by Scrutiny Committee. There was also the opportunity to call extraordinary meetings if necessary.
- The Frequently Asked Questions promised at the last meeting would be followed up with Officers and brought to the Leaders attention.
- As far as he was aware there would be fair representation on the LPLG both politically and geographically.
- The public speakers would be welcomed back to the 7th September meeting if they wanted to attend.

Councillor Bagnall who was the Chair of LPLG in the last term and had been put forward to be the Chair again said:-

- There would be an update on the Local Plan and the process shortly after the Cabinet meeting on the 29th June.
- He accepted the criticism that there needed to be better public perception and participation in the process going forward.
- He accepted that it had been the wrong decision to have all closed workshops.
- It was important to have a Local Plan that was fit for purpose and so it was better that it had been delayed in order to get the evidence right.

SC2 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Sell.

Councillor Haynes said he was the ward member for both Andy Dodsley and Peter Bright.

SC3 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meetings held on 2nd and 13th March 2023 were approved as an accurate record.

SC4 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL IN OF A DECISION

There were no matters referred. The Assistant Director, Corporate Services gave a brief explanation of this item and referred Members to part 4 of the Constitution.

He said that any decision made by the executive, an individual member of the executive, a committee of the executive, a key decision made by an officer with delegated authority from the executive or under joint arrangements could be called in by the Chair or any three members of the Scrutiny Committee.

SC5 CABINET FORWARD PLAN

The Cabinet Forward Plan was noted. In response to questions from Members about write-offs below £10k, the Assistant Director, Corporate Services said that these were in the remit of and would be considered by the Audit and Standards Committee.

He agreed to get the relevant Assistant Director to send an explanation of the process. The Chair said that these were mainly routine items from Revenues and Benefits, for example writing off a debt when someone had died and did not have the money within their estate to pay any outstanding monies.

The Scrutiny Work Programme was noted.

The Chair said that it was the committee that decided what items were brought to be scrutinised. He said that the table in the report was populated by standard items but there were blank spaces that would be filled depending on what Members wanted to review.

The Chair went through the report and gave his observations and comments. He gave a brief summary of each entry that was currently set to come to the committee over the year.

He then talked through other work programme items that could be pre-scrutinised before going to Cabinet and those that Members had raised.

The Assistant Director, Corporate Services said that the overview for performance monitoring was now the responsibility of Cabinet and therefore would be within the Scrutiny Committee's remit. He suggested that the first tranche of data came to the committee in full to get an understanding of what was involved.

The Chair said that the data would then be used to explore issues further and a discussion held on how Scrutiny could monitor.

Councillor Criscione declared that he had a live application within minor applications.

The Chair said that reports from the Investment Board came to him as Chair of the Scrutiny Committee but there had not been a need to call in any items so far. He said that the Investment Board was made up of independent members and had overview of all the investments made.

It was noted in the report that the committee had responsibility under the Police and Justice Act 2019, section 19, the Assistant Director, Corporate Services said this had not been taken up but needed to be considered.

A discussion was held and the following points were made:-

- The level of maturity within the committee was a buzz word within the scrutiny community that gave an indication of how the committee was run and the level of involvement and politicization. The Chair said that he thought the current committee was semi mature as it had an independent membership which held people and actions to account.
- The Assistant Director, Corporate Services agreed to circulate the proforma previously used by Members to put forward ideas for the committee to consider.
- He suggested that Members waited until after the scrutiny training being held on the 6th July before choosing what they would like to bring to the committee as this would give them a better understanding and a lot to think about.

- It was suggested that there should be more joined up thinking between the Local Highways Panel and the Climate Change Team.
- Councillor Gooding said that as the Chair of the Local Highways Panel he would be willing to come to a future Scrutiny Committee to be asked questions about the Local Highways Panel as there were significant changes which were in the process of being finalised.
- The Assistant Director, Corporate Services said that the Committee had no formal responsibility for the setting of performance monitoring targets, but recommendations could be made the next time these were considered, which was usually at the beginning of the municipal year.

Councillor Criscione was concerned about the new approach to Local Plan Scrutiny. He said that it was important going forward that there was much greater public involvement and transparency .

The Chair agreed that it was likely there would be a need for more scrutiny of the Local Plan. He said that it would be on the agenda at the September meeting.

Councillor Haynes said that there needed to be much greater public involvement and the meetings should not be closed off to the public just because there were a couple of items of sensitivity. He said that if this was the case the meeting should go into part 2.

Members agreed that public involvement in the Local Plan needed to be encouraged and communication greatly improved.

SC7

HOUSING REVIEW TERMS OF REFERENCE

The Portfolio Holder for Housing and Equalities presented the Report. He gave an update on the current situation within Housing and made the following comments:-

- As a last resort a court order was necessary to gain entrance to some homes to carry out essential maintenance.
- He was concerned about the time it took to fill voids, which on one occasion was up to 4 months.
- There were people desperate for homes and the department was losing money whilst the properties were empty.
- The service needed more money in order to resolve the large waiting list, this would have to come from central government.

In response to questions the Portfolio Holder for Housing and Equalities said:-

- He was aware of the problem with some access roads that were in poor repair, but unadopted and therefore not within the Highways remit. He agreed to take the discussion outside the meeting with Councillor Gooding.
- The cost of servicing gas boilers was high but this had to be carried out by law.
- The Housing Revenue Account was very low on funds.
- There was new legislation that had to be complied with but added cost.

- The Norse contract costs were higher than expected but were in the process of being re-negotiated.
- The housing stock was old and the service had fallen behind with repairs.
- The proceedings against the developers at Reynolds Court was an on going investigation. Wrong decisions were made and sign off should not have been given. It was important to learn from it and make sure it did not happen again.
- The voids took a long time to fill for a number of reasons including:-
 - Left in a bad state
 - Costs and age of the property
- The process needed to be improved with better stock checks.
- There should be an inspection on properties every 10 years and worn items replaced, but in fact this was sometimes closer to 20 years and if things were still working they were often not replaced.
- There was a lack of investment in social housing.
- The King Edward IV almshouses negotiations had never completed. Uttlesford District Council had asked for eight of their tenants to be given accommodation in the thirteen properties that were being rebuilt. In the end it was decided it did not offer good value for money.

Councillor Gooding asked if the Uttlesford Norse contract negotiations could be added to the Scrutiny Work Plan. The Chair said that the committee would not be able to get too involved due to sensitive commercial issues within the negotiations. He said that a report would be on the agenda for Scrutiny Committee in September which would show how the contract negotiations were proceeding and if there was a further role for the committee.

In response to a question from Councillor Criscione, the Assistant Director, Corporate Services said that the Housing Rent Account 30 year business plan would come to the committee and would be picked up when it appeared on the Cabinet Forward Plan. He said that the Housing Rent Account was also scrutinised by the committee through the budget and finance item that was brought to Scrutiny in February each year.

The Chair summarised the discussion, he said that there was a lot going on in the Housing Service, he said that the Portfolio Holder for Housing and Equalities had a firm grip and was working well with the department. He said that it was a detailed report with areas of concern clearly highlighted. He recommended that the report was remitted to Cabinet and the Members agreed unanimously.

Agreed: That the report be remitted to Cabinet.

SC8 CENTRE FOR GOVERNANCE AND SCRUTINY ANNUAL CONFERENCE (VERBAL)

The Assistant Director, Corporate Services said that both he and the Chair had attended the conference. He said that it had shown that the Scrutiny Committee at Uttlesford was not in too bad a state. He said that there were some key messages that he took away, including keeping an eye on devolution and that a

change of National Government would not change the current issues facing the Council.

He said that he had picked up from one of the sessions that it was good practice to have some sort of Executive/Scrutiny protocol. He said that there was a memorandum of understanding document which he would update and circulate.

The Chair agreed and said that there had been an interesting suggestion that the three Statutory Officers, (Section 151 Officer, Head of Paid Services and the Monitoring Officer) met for regular formal minuted meetings to check if there were any areas of concern. He said that it could be useful to pick up on any reservations that they had and could possibly have brought to light certain issues that the Council had faced in recent years, like Stansted Airport, the Local Plan and Reynolds Court. He said that it was not appropriate for this to be imposed but could be raised with the Chief Executive.

The meeting ended at 20.35.

PUBLIC SPEAKERS STATEMENTS

STATEMENT FROM ANDY DODSLEY

Scrutiny Committee Meeting 22nd June 2023 – Andy Dodsley - Public Speaking Input

Agenda Item 2 of tonight's meeting is to consider the minutes of the Local Plan Scrutiny Committee meeting on the 13th of March 2023. You will have read in the minutes that I attended that meeting and asked two questions:

Has the restrictive covenant on the Easton Park site been raised as part of the site assessment process for the Local Plan and is it included in the site assessment criteria?

Does the council have a position on the 1939 agreement and if so, what is it?

As the minutes indicate, Members raised concerns around the lack of opinion that the council had on the covenant and the chair requested that the portfolio holder provide me with a definitive answer. I am here to remind you that we are now 3 months down the line and I have not yet received an answer. These are reasonable questions to ask given the number of times this site has been and is still being assessed and it is very worrying that the council does not appear to know the answers.

You will also note from the minutes that another speaker raised the issue of the absence of LPLG meetings over the last year and the lack of transparency of the process to the public. The LPLG meeting on the 13th of March is the only meeting held in the last 12 months. There are no LPLG or Local Plan Scrutiny committee meetings currently scheduled between now and October. We are now closing in on the delayed date for Regulation 18 of the 27th of October and yet

not a single piece of Local Plan evidence has been submitted to the LPLG in the last 12 months.

I therefore have some further questions:

1. How is the Local Plan process being managed and led? It obviously isn't through the LPLG as they have only met once in 12 months and have had no sight of any aspect of the evidence base.
2. Following the hastily withdrawn proposals of a year ago which, by the council's own admission, did not have a robust evidence base behind them, an Extraordinary Joint Session between the LPLG and the Scrutiny Committee in October 2022 identified that a key lesson learnt from the withdrawn plan was (and I quote) "the failure of accountability of the LPLG and Scrutiny Committees, as LPLG had not met for 6 months, and Scrutiny had not been provided with enough opportunity to identify problems in the evidence early on". Given the lack of action over the last 12 months, what assurances can this committee give that we are not seeing exactly the same situation arise again, and, given the continuing absence of LPLG and Local Plan Scrutiny committee meetings, tell the public what activities, if any, are being scrutinised.

STATEMENT FROM PETER BRIGHT

Good evening. For those who don't know me I am Peter Bright, chairman of Little Easton Parish Council and a founder member of Stop Easton Park. Tonight I want to express my concern at the Scrutiny work programme relating to the Local Plan. First, I make no apologies about objecting to housing plans on Easton Park to meet the Government's diktat for housing numbers in Uttlesford. Less than two years ago the benefits of open space, the countryside and reducing food imports by expansion of agriculture were being opined by the great and the good. Uttlesford may need houses but it doesn't need a new town on Easton Park with a bigger population than Saffron Walden and Dunmow combined. There is an astonishingly high level of house-building currently in train overstretching already stretched infrastructure in the south of the district. The seemingly casual way in which the 1939 restrictive covenant (freely entered into by the then Rural District Council of Dunmow, subsequently recognised by UDC and Landsec in 2011) can potentially be tossed to one side shows scant disregard for such covenants and questions the entire efficacy of creating one. It certainly does not enhance people's trust in the council. Second, we do need a local plan and in the last meeting of the Scrutiny Committee I asked whether internal communication issues had improved following concerns, frustratingly aired by several Councillors, that they were unaware of delays in the process. I mentioned the lack of Local Plan progress updates to the public DESPITE that same public funding millions of pounds for two previously failed plans. I am no wiser about progress now than I was since the last date revision. And that is appalling given that I, along with all the other residents of our district, continue to fund the process. So what is the status? Are milestones being met? Is Reg 18 still on target for 27th October? Have all previously identified risks have been sufficiently mitigated? Have any risks been added? Is the LPLG working group to be reconstituted? Why are there no LPLG meetings currently scheduled? Who is monitoring overall progress? When will public transparency recommence? Following my last speech to the Scrutiny Committee the Leader of the Council

proposed that “an FAQ section be created on the Local Plan webpage, which will publish responses to queries from the public”. It hasn’t happened yet but if the reason is a lack of questions you now have enough to fill a couple of pages. Third, and lastly, the single biggest project this council MUST deliver requires overarching scrutiny to ensure success. The Uttlesford website states the Scrutiny Committee “ensures that decision-makers are accountable for what they do, the decision-making process is clear and accessible to the public, and that there are opportunities for the public and their representatives to influence and improve public policy and services”. Laudable goals. So why does, in your reports pack this evening, agenda item 6 (Work Planning) paragraphs 24 and 25 state that Local Plan Scrutiny meetings will not take place during this council term. I have attended and read the minutes of recent Scrutiny meetings. I do not recognise the claim that there is duplication of effort between Scrutiny and the LPLG. Indeed, Scrutiny performs its role of ensuring accountability and transparency superbly well. An analogy is that Scrutiny performs an Internal Audit role for decision-making committees and working groups. And that is arguably just as important as Internal Audit is for financial probity. LPLG has been very ably chaired with good debaters. The key frustrations for me were the closed door meetings where transparency became opaque. If it is being reconstituted, which body is going to scrutinise LPLG’s work, if not the Scrutiny Committee itself? Who will ensure there is fair representation and process on the LPLG and resultant recommendations to Cabinet are arrived at after robust debate? (That’s another couple of questions for the FAQ page by the way.) If challenge and oversight is lacking on any decision it will get picked up by the public and then it’s a sure-fire bet that a future Inspector will do so as well. Thank you.

UTTLESFORD DISTRICT COUNCIL DRAFT CABINET FORWARD PLAN

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Local Plan Regulation 18 Consultation	Cabinet	16 Oct	To consider issuing the draft Local Plan for the Regulation 18 public consultation.	Yes		Portfolio holder for Planning	Dean Hermitage, Strategic Director of Planning DHermitage@uttlesford.gov.uk
Christmas Car Parking Incentives	Cabinet	2 Nov	Free car park incentives for the Christmas period	No	Open	Portfolio Holder for Finance and the Economy	Angela Knight, Director of Business Performance and People aknight@uttlesford.gov.uk
Conservation Area Smiths Green	Cabinet	2 Nov	To consider the report regarding the Conservation Area Smiths Green	No	Open		Bruce Tice, Principal Website Officer btice@uttlesford.gov.uk
Corporate Core Indicators 2022/23	Cabinet	2 Nov	To present the new corporate core performance indicators for qtr. 1 and 2.	No	Open	Leader of the Council	Angela Knight, Director of Business Performance and People aknight@uttlesford.gov.uk
Corporate Plan	Cabinet	2 Nov	To consider the council's Corporate Plan.	No		Leader of the Council	Richard Auty, Director of Corporate Services rauty@uttlesford.gov.uk

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Local Council Tax Support Scheme Proposals - 2024/25	Cabinet	2 Nov	To present the responses for the consultation process on the LCTS scheme for 2024/25	No	Open	Portfolio Holder for Finance and the Economy	Angela Knight, Director of Business Performance and People aknight@uttlesford.gov.uk
Quarter 1 Financial Forecast - 2023/24	Cabinet	2 Nov	Q1 forecast outturn positions for General Fund, Housing Revenue Account and capital programme	No	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Treasury Management Q1 Update	Cabinet	2 Nov	Q1 update on treasury management activity.	No	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Treasury Management Mid-Year Report - 2023/24	Cabinet	14 Dec	Mid-year update on treasury management for the 6 months ended 30 September 2023.	No	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Annual Procurement Update	Cabinet	14 Dec	To provide members with an update on procurement activities, including progress on the Procurement Strategy action plan.	No	Open	Portfolio Holder for Finance and the Economy	Angela Knight, Director of Business Performance and People aknight@uttlesford.gov.uk

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Museum Interim Forward Plan 2024/25	Cabinet	14 Dec	A revised interim forward plan ahead of accreditation assessment in early 2024	No	Open	Portfolio Holder for Communities and Local Partnerships	Richard Auty, Director of Corporate Services rauty@uttlesford.gov.uk
Quarter 2 Financial Forecast - 2022/23	Cabinet	14 Dec	Q2 forecast outturn positions for General Fund, Housing Revenue Account and capital programme	No	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Appropriation of Land at Woodside Way	Cabinet	13 Feb		Yes	Open		
Medium Term Financial Strategy 2024-2029 and Annual Budget 2024/25	Cabinet	13 Feb	Full suite of financial strategies and annual budget reports covering 2024/25 and the medium term.	No	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Medium Term Financial Strategy 2024-2029 and Annual Budget 2024/25	Cabinet	13 Feb	Full suite of financial strategies and annual budget reports covering 2024/25 and the medium term.	Yes	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk

Item	Meeting	Date	Brief information about the item and details of documents submitted for consideration	Key Decision?	Part 2?	Portfolio Holder	Contact officer from where the documents can be obtained
Medium Term Financial Strategy 2024-2028 and Annual Budget 2024/25	Council	26 Feb	Full suite of financial strategies and annual budget reports covering 2024/25 and the medium term.	No	Open		Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Quarter 3 Financial Forecast - 2023/24	Cabinet	19 Mar	Q3 forecast outturn positions for General Fund, Housing Revenue Account and capital programme	No	Open	Portfolio Holder for Finance and the Economy	Jody Etherington, Director of Finance, Revenues and Benefits JEtherington@uttlesford.gov.uk
Economic Recovery Delivery Plan - Year 3 Outturn Report	Scrutiny Committee	16 Apr	To present the final activities and spend on the economic recovery plan.	No	Open		Angela Knight, Director of Business Performance and People aknight@uttlesford.gov.uk

Scrutiny Work Programme 2023/24

22 June 2023	7 September 2023	30 November 2023	11 January 2024	6 February 2024	16 April 2024
Work Planning	Corporate Plan	Economic Development Recovery Plan	Climate Crisis Action Plan	Medium Term Financial Strategy and 2023/24 Budget	Corporate Plan
Housing review scoping report	Local Plan	HRA 30 Year Business Plan	Crime and Disorder Scrutiny		Economic Development Recovery Plan
Feedback from Centre for Governance and Scrutiny Annual Conference	Housing Management				
	Q1 Performance data				

Agenda Item 7

Committee: Scrutiny

Date:

Title: Corporate Plan 2023-27

Wednesday, 11
October

Portfolio Holder: Cllr Petrina Lees, Leader

Report Author: Richard Auty, Director of Corporate Services
rauty@uttlesford.gov.uk

Summary

1. This report presents the Corporate Plan 2023-27, which sets out the council's key priorities.

Recommendations

2. Scrutiny Committee notes the report.

Financial Implications

3. There are none directly arising from the Corporate Plan but the council's budget will reflect allocations for the members' priorities.

Background Papers

4. None

Impact

- 5.

Communication/Consultation	Corporate priorities are shaped in part by consultation activity
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None

Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The Corporate Plan sets out the priority areas of work for the council's staff

Situation

6. The Corporate Plan sets out the vision for the next four years and the priority areas of work to deliver that vision. As is customary, the Corporate Plan undergoes a comprehensive rewrite following the election to ensure it reflects the priorities of the new administration.
7. The new Corporate Plan 2023-27 adopts a template that is not dissimilar to that used by many other local authorities. It provides continuation from the previous Plan by identifying four key priority areas, although these do not necessarily have the same names as in the previous Plan. The Plan is consciously more streamlined than the previous Plan, focusing tightly on key priorities and setting out measurable delivery targets. As a result of this, it is not proposed to develop a separate delivery plan. Progress on meeting the Corporate Plan priorities will however still be reported.
8. Members will note that various targets are deadline dates for the production of particular pieces of work; this is an inevitable consequence of this being the first year of a new four-year plan – the “setting up” phase.
9. The four priority areas are:
 - Protecting & Enhancing Our Environment
 - Building Strong Communities
 - Encouraging Economic Growth
 - Putting Residents First
10. The priorities reflected in the Corporate Plan demonstrate a considerable degree of continuity with the Corporate Plan for the previous four years, though the new plan reflects up to date circumstances, national context, and progress made by the authority over the previous four years.
11. As well as these refreshed priorities, there is one new priority – the explicit focus on the rural character of our district. It has been a central focus of Uttlesford District Council ever since its creation in 1974 to serve the specific challenges and nature of our beautiful rural district of 247 square miles, with two historic market towns, and our many villages and smaller countryside settlements.
12. What is new about this new Corporate Plan priority is the emphasis on holistically drawing together a focus on all of these rural-specific initiatives and

working patterns, both across council services and more broadly across partner agencies. This way, it will pull together into one place an holistic overview of rural issues, identify any possible gaps (or overlaps), and stimulate a more over-arching discussion about future priorities.

13. The Corporate Plan is reviewed annually but the expectation is that after adoption of this new Plan, subsequent revisions will be lighter touch and focus mainly on the third and fourth columns which detail mostly in-year activity to meet the priorities.
14. There are several key council plans and documents referenced in the Corporate Plan which set out in greater detail how certain workstreams will be delivered. These include the Local Plan, the Economic Development Recovery Plan, the Climate Crisis Action Plan and the Blueprint Uttlesford transformation programme. Content of these documents is not replicated in the Plan.
15. The Corporate Plan will be taken to Cabinet in November 2023 and then an updated version will be presented alongside the Budget papers at the Full Council meeting in February 2024.

Risk Analysis

11.

Risk	Likelihood	Impact	Mitigating actions
The council fails to deliver on its priorities	1	3	The Corporate Plan clearly sets out deliverable priorities

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.



Corporate Plan 2023-27

Making Uttlesford the best place to live, work and visit





Protecting & enhancing our environment

We will protect and improve our environment by reducing our carbon footprint, promoting biodiversity, managing waste and recycling, and supporting green initiatives.



Building strong communities

We will build strong and resilient communities by engaging with our residents, plan effectively for new housing and tackling social isolation.



Encouraging economic growth

We will support and promote a vibrant and diverse economy by attracting investment, facilitating business growth, enhancing skills and employability, and improving connectivity and infrastructure.



Putting residents first

We will deliver excellent services for the benefit of our residents by ensuring budgetary stability and value for money, embracing new technology and developing our workforce.



<https://www.uttlesford.gov.uk/corporate-plan>



Priorities

To achieve our vision, we have four strategic priorities that will guide our work over the next four years:



Protecting and enhancing our environment



Encouraging economic growth



Building strong communities



Putting residents first

Delivery

To deliver this corporate plan, we will:

- Develop annual service plans that detail how each service area will contribute to the corporate priorities
- Monitor and report on our performance against key indicators and targets on a quarterly basis
- Review our financial position regularly and ensure effective budget management and control
- Engage with our stakeholders, including residents, businesses, partners, staff and councillors on a regular basis
- Review this corporate plan annually and update it as necessary to reflect changing circumstances

Our four-year plan will be delivered during challenging financial times in which we need to reduce our budget by around 25 percent.



Protecting and enhancing our environment

We will protect and improve our environment by reducing our carbon footprint, promoting biodiversity, managing waste and recycling, and supporting green initiatives.

Priority	What we will do	How we will do it	How we will measure it
Take action on climate change	Clearly set out and publicise our priorities for the coming years to meet our net zero by 2030 pledge, including reducing emissions from our vehicle fleet and corporate buildings.	We will refresh the Climate Change Action Plan, which will set out the major projects we will deliver in order to reduce our carbon emissions and support work in the community.	We will complete the Action Plan refresh by March 2024 and then monitor successful completion of activities with the Action Plan and provide quarterly updates on progress.
	Reduce direct emissions from council housing stock. This includes new-build homes being planned/developed.	We will install clean-air heating solutions and develop measures to retro-fit homes to improve sustainability and contribute towards meeting the 2030 pledge.	We will ensure we have up to date information on the energy efficiency of the housing stock by March 2024, and a programme of work to deliver on our commitments will follow from 2024/25.
	Deliver sustainable ways of working across the council to reduce the carbon impact of business activities.	We will deliver Carbon Literacy training for our Leadership and Senior Management team to support embedding sustainability and climate change into key decision making across the council.	Training will be developed and delivered to the council's management team by the end of October 2023.

	Provide community leadership and enable local action on climate change.	We will provide community grants via the Zero Carbon Communities fund to deliver community projects that are focused on carbon emission reduction and biodiversity restoration or enhancement.	A second round of grant funding will be available to community groups, with applications required by 23 December 2023 and a decision made in the early part of 2024.
Manage waste in a sustainable way	<p>Work with partners across Essex on a new waste strategy for the county.</p> <p>Review our domestic recycling and waste services to make sure they are as efficient as possible and review and improve our waste service for businesses.</p>	<p>Following national policy, we will treat the waste and recycling we collect as a resource. We will contribute to the development of the new Waste Strategy for Essex which will determine how we will manage waste for the next generation.</p> <p>We will conduct a detailed review of all our waste and recycling services through the change programme Blueprint Uttlesford to ensure they are operating efficiently and effectively.</p>	<p>We will play an active role in the development of the county-wide strategy through attendance at appropriate meetings and forums, ensuring the views of this district are taken into account. We anticipate the strategy being approved during 2024.</p> <p>The review of Environmental Services is scheduled for 2024/25. In the meantime, opportunities for service improvement will continue to be explored.</p>
Conserve and enhance the quality and diversity of the district's natural habitats and wildlife	Fulfil our bio-diversity duty by using the planning system to conserve, enhance and create new ecological habitat.	We will support and promote the public consultation on the Local Nature Recovery Strategy for Uttlesford, to ensure widespread reach and engagement.	We will promote the consultation, which runs from November to December 2023, through our communication channels to drive engagement among district residents.

		<p>We will develop robust planning policies as part of the Local Plan relevant to habitat protection, enhancement and creation.</p> <p>We will require and monitor bio-diversity net gain in relation to new development and ensure the council has access to specialist advice from a qualified ecologist.</p>	<p>Relevant policies will be included within a Reg 18 Local Plan by November 2023.</p> <p>Bio-diversity net gain data will be monitored for every major planning decision from November 2024 with a rolling target of 100% of schemes to include bio-diversity net gain.</p>
Work with partners to deliver sustainable transport	<p>Work with Essex County Council and other stakeholders to promote and facilitate sustainable, reliable, and adaptable transport infrastructure.</p> <p>Steer development to the most sustainable locations using the Local Plan and via planning decisions.</p>	<p>Complete the Uttlesford Local Walking and Cycling Infrastructure Plan.</p> <p>Deliver the active travel and shared transport pilot schemes in Saffron Walden as part of the DEFRA funded Clean Air project, to build evidence to support roll out of schemes elsewhere in the district.</p> <p>Develop a spatial development strategy and robust planning policies as part of the Local Plan in order to support sustainable travel.</p>	<p>We will complete the Plan by March 2024 and develop from it a priority list of schemes for investment.</p> <p>EV Car Club and Community Cargo Bike schemes will launch by November 2023 and uptake will be monitored and evaluated during the two year trial period.</p> <p>A Reg 18 Local Plan with an agreed draft spatial strategy will be published by November 2023.</p>



Encouraging economic growth

We will support and promote a vibrant and diverse economy by attracting investment, facilitating business growth, enhancing skills and employability, and improving connectivity and infrastructure.

Priority	What we will do	How we will do it	How we will measure it
Support the resilience and growth of the local economy	<p>Provide business support, information and advice to help the business community recover and grow.</p> <p>Enhance the skills and employability of local residents. Attract tourism and investment to the district.</p>	<p>We will complete the actions set out in the Economic Development Recovery Delivery Plan which contains detailed information about the way the council supports the business community.</p> <p>We will work with partners including other Essex councils to deliver economic priorities across a wider area, benefitting from economies of scale in procurement and scope of delivery.</p>	<p>We will deliver the schemes as set out in the Economic Development Recovery Plan, progress on which will be reported to the Scrutiny Committee.</p> <p>We will play an active role in relevant county and regional forums including the London Stansted Cambridge Consortium, the Innovation Core Group and the North Essex Economic Board, ensuring at least one council attendee at all relevant meetings to ensure the district's views and priorities are represented.</p>
Improve connectivity infrastructure	<p>Support work to ensure residents and businesses benefit from superfast broadband.</p>	<p>We will continue to work with Essex County Council on the Superfast Essex project, particularly targeting areas where major broadband suppliers cannot deliver service.</p>	<p>We will have an officer representative in attendance at all Gigaclear Project Board Meetings to ensure our position is presented against the delivery plan outcome for the district.</p>

	Identify opportunities to improve connectivity, including 5G technology.	Work as part of the Essex and Herts Digital Innovation Zone (DIZ) to ensure residents and businesses get maximum benefit from superfast/gigabit broadband and 5G delivery.	We will continue to have a member and an officer in attendance at the DIZ meetings and regular engagement with Digital Essex, ensuring we have early access to information and initiatives available to enhance connectivity across the district.
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Building Strong Communities

We will build strong and resilient communities by engaging with our residents, delivering new housing and tackling social isolation.

Priority	What we will do	How we will do it	How we will measure it
Provide and maintain quality homes and invest in thriving communities	Commit to improving the condition of our homes by investing in our housing stock.	Develop an Asset Management Strategy aligned to the HRA Business Plan that delivers Decent Homes compliance through planned work programmes.	We will publish and maintain a five-year Capital Works Programme and our progress against it by March 2024.
	Provide quality homes through managed growth.	Seek development opportunities and work with other social housing providers to maximise the delivery of affordable housing.	We will refresh asset data through stock condition surveys, asset grading and maintain a validated compliance register. This is an ongoing process.
	Deliver high-quality housing management services to empower our tenants and ensure communities prosper.	Use customer feedback and engagement to shape the services we provide and continue our multi-agency community events.	We will publish the HRA 30-year business plan to identify capacity for investment in new and affordable housing by March 2024. We will then draft and publish an Asset Management Strategy in 2024/25. We will produce and deliver a Tenant Engagement Strategy to include scrutiny of services by March 2024.

<p>Plan for future housing needs in a sustainable way</p>	<p>Deliver a robust Local Plan that sets out a vision, and objectives, for addressing climate change, meeting future development needs in a planned and managed way, and setting out policies and standards to ensure that our historic and natural environment is conserved and enhanced.</p> <p>Introduce a Community Infrastructure Levy (CIL) to support the Local Plan and fund new infrastructure in the district.</p>	<p>Prepare a draft Local Plan, for public consultation, utilising a range of approaches to resident engagement to ensure that all who want to contribute are able to do so. Use the outcome of consultations and best possible evidence to produce final plan for submission to government.</p> <p>Work with a range of stakeholders, including Essex County Council, the NHS, water companies, and neighbouring councils to ensure adequate provision of infrastructure is made to support new development.</p>	<p>We will have an agreed Local Plan timetable by November 2023 that will lead us to submission to government by December 2024.</p> <p>We will have an agreed Local Plan timetable by November 2023 and demonstrate collaboration with stakeholders in the lead up to submission in December 2024.</p>
<p>Tackle rural priorities</p>	<p>Draw together our understanding of issues and challenges particularly facing our villages and rural communities – including rural isolation, rural poverty and homelessness, rural economy, rural crime and safety issues etc.</p> <p>Develop this into a coherent plan across of the range of interventions we and other partners both currently make and can potentially introduce to serve our rural communities to the fullest.</p>	<p>Work with our partner agencies, councils and communities to map out the issues and the interventions, and to stimulate a debate around priorities, leading to a new and coordinated plan.</p>	<p>The project’s priorities will be mapped out in a three-stage discovery, challenge and action process involving stakeholder representatives, from September 2023 to April 2024.</p> <p>Progress with the mapping of issues and services will then be tracked against the project plan developed.</p> <p>The ultimate product of this work is improved opportunities and outcomes for local communities, and those measures will be identified along the way as part of the process.</p>



Putting Residents First

We will deliver excellent services for the benefit of our residents by ensuring budgetary stability and value for money, embracing new technology and developing our workforce.

Priority	What we will do	How we will do it	How we will measure it
Ensure financial stability	<p>Deliver a balanced budget every year.</p> <p>Review services through a structured programme to ensure efficiency and value for money.</p> <p>Prioritise money towards the areas of greatest need and impact.</p>	<p>The required budget savings of £6.6 million over four years will be delivered through the Blueprint Uttlesford programme, through which every council service will be reviewed. Savings will come from a combination of increased income and budget reductions.</p>	<p>A separate workstream of benefit realisation and cost control has been established and will be led by the Director of Finance and Revenues and Benefits. This will ensure financial changes are logged and maintained.</p>
Use commercial assets to fund services	<p>Manage the commercial asset portfolio to maximise income for the council to be used on services for residents.</p> <p>Review the portfolio to ensure it represents best value for the council.</p>	<p>The commercial asset portfolio generates income to support the council's services. Regular reviews will continue to be undertaken to ensure it still provides the best value.</p>	<p>The CIPFA Prudential Code requires an annual report on commercial investments and option appraisals. This report will be presented to the Investment Board and as necessary to Cabinet and Council.</p>
Enhance digital access and innovation across council services	<p>Consider emerging technology, such as AI, when redesigning services.</p>	<p>Through the Blueprint Uttlesford programme, service reviews will include consideration of the best way to deploy value for money technology to ensure we can continue to deliver the services on which our residents rely.</p>	<p>Each Blueprint Uttlesford review has a set review methodology and template. Through this it will be possible to demonstrate how technology has been used to maintain or enhance service delivery. The Blueprint Uttlesford programme will last for four years.</p>

	Review our online services to ensure they are helping residents do what they need to do, within the council's financial constraints.	We will consider implementing chatbot and AI technology to deal with simple requests from customers in a quick and efficient way, starting with a chatbot function for LiveChat via the website.	A decision on whether to proceed with the LiveChat chatbot project will be taken by December 2023.
Further develop a skilled, motivated and diverse workforce	<p>Review our recruitment, onboarding, induction and retention processes to ensure we attract and retain a workforce that is representative of our community. Promote an inclusive workplace to help us recruit the best people in line with our values and behaviours.</p> <p>Ensure our learning and development offer is accessible to all, affordable, efficiently delivered and aligned to emerging developmental priorities.</p>	We will monitor progress against the activities set out in the Workforce Action Plan and will use self and external assessments to measure success such as Disability Confident and Armed Forces accreditation, an increased number of candidates for jobs, a reduction in staff turnover rates, targeted training for our priority areas and improved compliance with mandatory training.	This priority will be delivered through the Workforce Plan and Action Plan 2023-2027, which will be regularly reviewed and updated according to corporate priorities and engagement with staff.

Agenda Item 8

Committee:	Scrutiny	Date:	11 th October 2023
Title:	Council Housing Management Update		
Portfolio Holder	Cllr Arthur Coote Portfolio Holder for Housing and Equalities	Item for decision:	For information
Report Author	Kerry Clifford Director of Housing, Health and Communities		

Summary

1. At the final meeting of the Scrutiny Committee before the election, a scoping document for a review of Council Housing Management was presented.
2. The committee requested it be brought back to the first meeting of the new committee for consideration. Since that time, the situation has progressed, and much work has been done to address the concerns identified in the scoping document of March 2023.
3. At the Scrutiny Committee on the 22nd June 2023, it was recommended that rather than a full scrutiny exercise that would potentially detract officers from ongoing work to rectify areas where concerns have been identified, a progress report covering all areas requiring improvement would be acceptable and would offer assurances that these areas were being sufficiently addressed.

Recommendations

4. Scrutiny Committee notes progress to date on areas of concern and those still requiring improvement.

Financial Implications

5. The total value of the rent overcharges is £162,965.85 Of this, £151,468.27 is due to the incorrect CPI metric being applied as part of the annual rent setting process. The remaining £17,878.86 is due to incorrect bedroom sizes being on the system and this includes some dating back to before 2021.
6. Total costs relating to Reynolds Court are currently being sought and will be itemised in the deep dive investigation report that will be completed once all works are satisfactorily completed. We will seek to recover all and any outlay that UDC has had to pick up in the short and medium term.
7. There are no new financial implications at this stage.

Background Papers

8. None

Impact

9.

Communication/Consultation	There has been, and will continue to be, communication and consultation with tenants affected by any of the issues identified within this report and to inform them of our on-going commitment to provide fit for purpose services that comply with legislation, particularly the new Social Housing Regulation Act 2023, and any of the Consumer and Economic Standards that apply to UDC.
Community Safety	There are no impacts in relation to the wider community.
Equalities	There are no specific impacts.
Health and Safety	Health and safety issues have been a key feature in the issues faced by the Housing service and continue to be of primary importance.
Human Rights/Legal Implications	There are potential legal implications as explained in the scoping document that the council should comply with the Social Housing Regulation Act 2023 as well as any of the applicable Consumer and Economic Standards and statutory guidelines set out by Government.
Sustainability	There are no specific impacts.
Ward-specific impacts	All Wards.
Workforce/Workplace	There are no specific impacts.

Situation

10. Due to well publicised concerns and challenges in the last 18 months, which the council has moved to address, the Scrutiny Committee requested a scoping report on Council Housing Management for its March 2023 meeting to scrutinise the delivery of some elements of the service, particularly with regard to;

- a) Property repairs, maintenance and capital works programmes.
- b) The process of setting council housing rents and service charges for leaseholders in accordance with the Rent Standard 2020 as amended in 2023.
- c) The delivery of Housing Management functions and complaint handling in accordance with currently regulatory standards, being the Home Standard, The Tenant Involvement and Empowerment Standard, The Tenancy Standard and the Neighbourhood and Community Standard.
- d) The quality assurance of major refurbishment, new build standards and handover processes.

11. Property Repairs, Maintenance and Capital Works Programmes

- a) In August 2022 the council referred itself to the Regulator of Social Housing over concerns it may have breached the Home Standard with regards to some aspects of health and safety. Considerable work had been undertaken to address the issues and subsequent to the March Scrutiny Committee meeting, the Regulator wrote to the council to confirm that having reviewed the council's action plan and compliance data, it was satisfied the council was not in breach.
- b) Health and safety remains a priority and our Safer Homes Officer has reviewed our compliance policies and procedures to ensure that we are delivering in this area. These are due to be reviewed by CMT in October 2023 and will then be consulted on with tenants and shared with the Housing Board before being formally adopted.
- c) Since June we have revised our gas servicing and electrical check access procedure, bringing forward stages of the process with UNSL contractors and requiring the Housing Management team to intervene at an earlier stage where there are missed appointments or no contact. We have also engaged the use of injunctions to gain access to complete the checks and any remedial works that are identified. We have been successful in securing five injunctions to date with a further four applications in progress. This approach has meant that we have been able to access properties and identify property conditions issues and vulnerability that we were not previously aware of and for the housing officers to work with residents to address any issues.
- d) The council commissioned its own stock condition surveys, independently from UNSL, as well as subsequently damp and mould surveys (where damp and mould was evidenced as severe or moderate a result of the stock condition surveys). This was to inform our current position regarding damp and mould cases to the Regulator of Social Housing following the passing of Awaab's Law in February 2023 and compliance with the Decent Home Standard, as well as to inform future capital works programmes.

- e) All category one hazards or non-conformity with the Decent Homes Standard are to be scheduled within year one and two of the Capital Works Programme. We are yet to sign off the Capital Works Programme for 2023/24 and 2024/25 as we are awaiting details of completed works and works in progress from UNSL and how that overlaps with our proposed investment programmes. We continue to work closely with them to get access to this information and so we can inform our future programmes. This is not delaying urgent requirement for capital investment in homes and a sign off procedure is in place between UDC and UNSL for recommendations ahead of the whole programme being approved.
- f) The Council has procured damp and mould contractors to complete mould washes and scope remedial works on its severe and moderate cases as UNSL were not able to procure and mobilise contractors to undertake this work by the deadline of end of September, as notified to UNSL by UDC in June 2023. Contractors are currently being mobilised and works scheduled to commence w/c 9th October 2023.
- g) In response to void turnaround times not being met, with an average 55 days 'in works' against a benchmark average of 11-15 days, UDC has been working with UNSL to re-engineer the key to key void process and has given UNSL a 'tracker' document to be used so we can identify where the process is breaking down. This remains a work in progress with little improvement over the last 3 months due to lack of UNSL in-house resource and the inability to schedule contractors in a timely way. This is a focus area for UDC to work with UNSL on drastically improving the in works turnaround of void properties. Positively, the standard of work in voids being returned to UDC has improved. Work is on-going and further update to scrutiny can be provided.
- h) In the meantime, UDC and UNSL have agreed a revised set of key performance indicators, across all areas of compliance as well as responsive repairs and tenant satisfaction. The KPI's will be reported at Liaison Board, the UNSL Board meetings as well as corporately. UDC and UNSL meet quarterly to review them. UDC have agreed with Norse Group Ltd and UNSL that it is necessary to re-negotiate the terms of the existing Service Level Agreement and the Share Holder Agreement that exists between all parties. Heads of Terms were issued to UNSL by UDC on the 29th October 2023, requiring information and setting out expectations around the process, with key milestones. Decisions linked to the re-negotiation will require the oversight and approval of Housing Board and Cabinet at various stages before the commencement of possible remobilisation activities.

12. The Process of Rent Setting

- a) Having commissioned Altair to conduct an independent audit of rent setting in the autumn of 2022, the council was found to be in breach of the statutory Rent Standard, on the basis that the incorrect CPI formula had been used when calculating the annual rent increase for the years 2021/22 and 2022/23.

- b) As is the requirement by the Regulator of Social Housing (RSH), UDC Self-Referred to RSH on 19th December 2023. In the Self-Referral letter, the Council set out the steps it would take to put the issue right. These steps included adjusting the rent charges to the correct amount, in line with the Rent Standard, communicating the issue to tenants, creating a new Rent Setting Policy and Rent Setting Sign Off Procedure to put in place new controls to prevent the issue recurring, contacting former tenants who had been affected and liaising with the housing benefit teams and with DWP regarding Universal Credit.
- c) Work has been completed to identify the overcharges, adjust rent accounts accordingly and ensure that the correct rents are now set. During this process it was identified that in addition to the CPI issue during the annual rent increase process, eleven homes had incorrect information regarding the number of bedrooms and as such, they had also been overcharged.
- d) The total value of the overcharges is £162,965.85. Of this, £151,468.27 is due to the incorrect CPI metric being applied as part of the annual rent setting process. The remaining £17,878.86 is due to incorrect bedroom sizes being on the system and this includes some dating back to before 2021.
- e) The overcharges have now been credited to rent accounts or have been addressed via Housing Benefit or Universal Credit. There were no tenants evicted due to rent arrears in relation to the overcharges.
- f) Following the recommendations from the Altair report we have set about re-engineering the annual process for setting rents and during a series of workshops, the following areas were identified as potential points of failure:
- Wrong CPI metric applied in the annual rent increase process
 - Wrong rent type – social (formula)/affordable
 - Incorrect information on properties e.g., bedroom size when homes are re-let
 - Mis-keying when inputting data on rents
 - Wrong information on property adverts when advertising on choice-based lettings scheme
 - Wrong information on offer letters
 - Wrong information on tenancy agreements
 - Incorrect information flow re Housing Benefit
 - Failing to meet statutory timescale for rent increase letters
- g) To mitigate these risks a series of flow charts have been designed to incorporate a new 'Rent Setting Sign off Procedure', which CMT will be asked to approve during October 2023.
- h) The matter of the Rent and Service Charge Policy is outstanding and is being led by the Director of Finance and the Director of Housing, Health and Communities. It is recommended that the Council updates this and gains approval as required by the Council's constitution. A draft Policy has been circulated for initial comment.

- i) To provide further assurance, an internal audit in relation to Rent Setting will be commenced in November, the scope of which has already been defined. The Regulator will also be written to, updating them of our actions to date. As a reminder to the Scrutiny Committee, responsibility for internal audit rests with the Audit and Standards Committee.

13. Delivery of Housing Management and Complaint Handling

- a) The Housing Management team is continuing to conduct a gap analysis of its current position against the Social Housing Regulation Act 2023 and the Consumer and Economic Standards under which providers of social housing should operate. This piece of work will be concluded by the end of November 2023 and an action plan is being drawn up to ensure compliance across all areas.
- b) The team is also composing a list of all policies and related procedures to ensure that there is a policy review schedule in place and that they are updated regularly and in accordance with changes in legislation and good practice guidance.
- c) A review of the Council's Complaint Handling Policy has taken place against the backdrop of the Housing Ombudsman's code of conduct. The Complaint Policy is now compliant with the code of conduct requirements and all staff have been briefed via the staff briefing sessions. Online training provided via the Housing Ombudsman is being rolled out to all relevant housing staff, to be completed by the end of November.
- d) A complaints dashboard for housing has been implemented to track all complaints, the time it takes us to respond, documented lessons learned and actions taken. This is reviewed at a weekly meeting to ensure that we are compliant with the code of conduct and to ensure that any trends are spotted quickly. To go one step further, we will introduce satisfaction measures on our complaint handling during Q3.
- e) We have also completed the code of conduct self-assessment as required to be published, by the Housing Ombudsman. This will be shared with CMT during October prior to being published on-line and notified to tenants via the Newsletter. We are also keeping tenants updated on complaint handling via our Annual Report.

14. Quality Assurance of New Build Properties

- a) Reynolds Court, a sheltered housing block in Newport, has been subject of fire safety issues. Fire stopping measures were found to be inadequate and a further round of inspections had been triggered following a problem identified between the floors, these inspections had identified more issues which brought into question the quality of the fire risk assessment.
- b) Lovell, who developed the site had used a pink foam which most consultants deemed was not sufficient to provide the necessary prevention for fire in the places it had been used. Porterhouse, an independent party

brought in by UDC, had questioned the pink foam with Lovell but Lovell had said it was compliant and produced documentation which Porterhouse had accepted.

- c) Lovell have since been held to account and are now in the process of rectifying the issues, at their own cost. Lovell have identified in consultation with the Council, all the items which need to be remedied. Most items have been completed and for the remainder, Lovell are developing a time-bound action plan to deliver this by the middle of October 2023.
- d) The Council has been overseeing and approving the works that have been proposed and completed and will also be pursuing Lovell for the additional costs incurred by the Council as a result of the issues, such as the necessity to install a waking watch to ensure the safety of residents whilst works were completed.
- e) The Council will complete a deep dive inspection into how the issues occurred and the sequence of events for remedy and will also recommend steps to ensure that a similar situation doesn't result in existing and future development or refurbishments. A report will be produced during November and once all of the remedial fire safety measures have been completed.
- f) There will be earlier input from the Safer Homes Officer at the design stages of any future developments and regular inspection of contractors and progress of works on site. The development team will also be reviewing its handover process and sign off procedure to ensure that UDC's property services and compliance teams are involved at all stages of the development process and particularly prior to handover and letting of properties.
- g) A further update can be provided to Scrutiny Committee once the investigation has been completed, including costs and how we will seek to recover them from Lovell and any other culpable parties.

15. Once matters are settled, there may be value in the Scrutiny Committee doing a piece of work on lessons learned, but this cannot happen in the short term for reasons set out in the scoping document of March 23.

Risk Analysis

16.

Risk	Likelihood	Impact	Mitigating actions
Outstanding issues relating the council housing management are not effectively	1	3	Comprehensive reporting to Scrutiny and Cabinet

addressed			
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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.

Agenda Item 9

Committee: Local Plan Scrutiny

Date: 11 October
2023

Title: Local Plan: Project Plan (April - September
2023)

**Report
Author:** Dean Hermitage – Director of Planning

Summary

1. This report provides an update on local plan progress up to end of September 2023, including risks, mitigations and resourcing. The revised Local Plan timetable established in March 2023 is on course and required actions are being met. The updated risk register is attached as [appendix 1](#).

Recommendations

2. That the Committee notes the conclusions of the report on risk and project management; the implications of possible timetable slippage; and provides its views on the matters covered in the report.

Financial Implications

3. Within existing local plan budget.

Background Papers

4. The draft Regulation 18 Local Plan can be found within the 4 October LPLG papers [Microsoft Word - Local Plan Draft WRD 26.09.23 FINAL \(modern.gov.co.uk\)](#)

Impact

Communication / Consultation	The Draft Reg18 Local Plan is planned to be published for consultation for a period of not less than 6 weeks beginning w/c 30 October 2023.
Community safety	None
Equalities	None
Health & Safety	None
Human Rights / Legal	None
Sustainability	None
Ward-specific Impacts	All wards

Workforce / Workplace	None
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Situation

Resourcing Update

5. Previous reports to this committee have highlighted staff resourcing issues as contributing to delays to the local plan. This is identified in the Risk Register as **Risk ID Ref 1 – Staffing Risks.**
6. This municipal year the Local Plans Team has remained relatively static in terms of turnover, with only one leaver. This compares well to the position at the end of last year where staff turnover was at 58% (2022/23) prior to mitigations being put in place (see report for March LP Scrutiny committee). As such, sufficient staffing resource has been maintained in order to keep pace with our challenging programme.
7. The loss of our Urban Design Officer in June meant greater reliance was placed on external consultants for design work. This resulted in increased costs but it is considered these can be absorbed in the wider budget. A new permanent Urban Design Officer joins UDC mid-October.

Programme

8. An updated Local Development Scheme¹ (LDS) is to be published for consideration at the 16 October meeting of Cabinet. This formalises the overarching timetable that was discussed at Scrutiny Committee in March 2023. This includes:
 - Regulation 18 consultation w/c 30 October 2023
 - Regulation 19 consultation June/July 2024
 - Submission of Regulation 19 plan to Secretary of State December 2024
 - Examination in Public throughout 2025
 - Adoption of Plan early 2026
9. Specific dates can be given at the start of each relevant, municipal year when council meeting dates are confirmed.
10. The Regulation 18 document has been produced in accordance with the timeline. Whilst challenging, it is considered that remainder of the above LDS is achievable.

▪ ¹ an LDS is the overarching project plan that sets the timetable for the production of local plan documents

11. It is of importance to note that Government has set a deadline for the submission of new local plans under the current legislative framework. From 1 July 2025 a new legal framework for production of local plans will be in place, the details of which are yet to be published by Government. The deadline under the current regime is thus 30 June 2025, with plans to then be adopted no later than 31 December 2026. Officers are of the view that should we fail to meet the above deadlines it is unlikely that Uttlesford can have a plan in place until 2028. Any further material slippage against the LDS thus risks a possible delay of a further two years; two more years of speculative development.
12. Officers are also mindful of the recent ministerial intervention in the Spelthorne Local Plan. In that case ministers have directed Spelthorne Borough Council to progress their plan. Their current plan dates from 2009 and is considered out of date. As a result, **Risk ID Ref 7 – LDS Timetable** has been updated to reflect an increased risk for government intervention. Mitigations in respect of this include the robust project plan now in place, and regular reporting to Corporate Overview Board² and Scrutiny Committee.

Project Plan

13. As previously reported (March 2023) the project plan is monitored in real time using appropriate software and overseen by the team's project officer. A clear steer was previously given by the Scrutiny Committee in this respect and the approach has assisted in achieving deadlines.
14. All officer tasks are RAG rated. There are currently none rated "red". However, officers and members of the cross-party Local Plan Leadership Group have had to take a pragmatic and flexible approach to reviewing evidence (much of which is produced by external consultants) and policy chapters, some of which was not available in final draft ahead of working group and LPLG meetings. This has meant officers and members of LPLG have, in some cases, had to review documents by exchange of papers, sometimes over weekends and with papers in draft form. The substance of the content however was clear in each case.
15. All papers will, of course, be available publicly for Cabinet and Full Council. Whilst reviewing some matters 'in camera' has been the subject of external criticism in the past, there is no statutory requirement to publish anything prior to the consultation and so this brings no risk to the robustness of statutory process.
16. In agreeing this pragmatic approach to the review of information, the LPLG has avoided the need for officers and consultants to either rush work on documents or delay the programme.

▪ ² Corporate Overview Board – a UDC and Essex CC officer board that provides officer-level scrutiny.

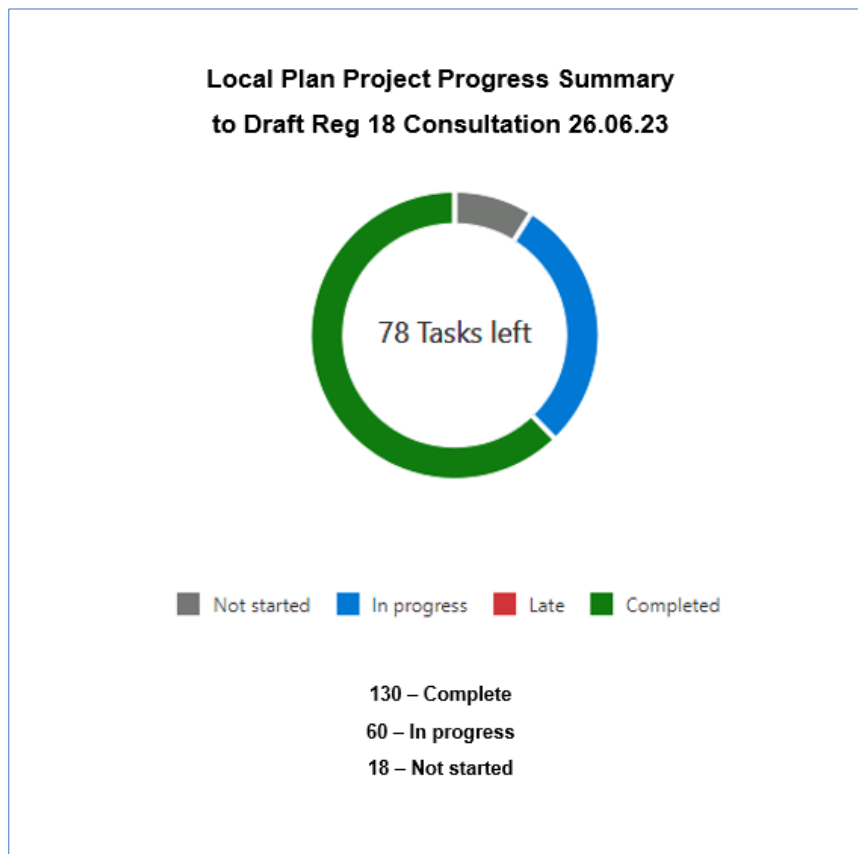


Figure 1: Reg18 Project Plan Progress summary

17. Each of the twelve chapters of the draft plan formed a *task* within *Workstream 1* the project plan. Each has been drafted by officers, based on evidence-base documents, has been reviewed by LPLG, legal counsel, and published for governance. The version planned for public consultation will be of a higher quality in terms of appearance and diagrams.
18. The chapters set out the spatial vision for Uttlesford, derived from the council's Corporate Plan and the steers given by LPLG. It includes five Core Policies (CPs). CP1 seeks to address climate change in accordance with Members' instruction to make this a climate change led Local Plan. *Workstream 1* is complete as far as it relates to the Regulation 18 stage of the plan. However, it is anticipated there will be various changes / improvements to the chapter wording following consultation. Timing for this work has been allowed-for in early 2024.
19. *Workstream 2* covered the site selection / spatial strategy that underpins the draft plan. Tasks included establishing accurate housing and employment needs, developing the site selection methodology, reviewing the district's settlement hierarchy and running the site selection process (which was previously agreed with the LPLG). A comprehensive selection process was carried out, which began with an assessment of land at each of our most sustainable settlements (as indicated by the Housing and Economic Land Availability Assessment evidence base document – HELAA). This approach helped to identify broad locations that offered the most suitable locations for development. These were then tested against the Sustainability Appraisal,

Transport Assessment, Viability Study, Landscape Sensitivity and other technical evidence base studies. Meetings were also held with site promoters and a number of other stakeholders, such as the NHS and Essex County Council Education, and Essex Highways to test the strength of the strategy. This work is complete in respect of the Reg18 stage of the plan. Again, time has been scheduled in early 2024 for revisions following consultation and to take into account further 'commitments' (additional grants of planning permission) that may allow us to reduce housing numbers in the next version of the plan.

20. Work on *Workstream 3*, the Preferred Sites, started as soon as *Workstream 2* tasks were practically complete. High level design work was carried out with regards to the proposed strategic housing site allocations identified under *Workstream 2* above. These are included in the Reg18 document in order to demonstrate how the level of development allocated to each site can be accommodated bearing in mind that the locations have a range of sensitivities (including heritage assets, ecological sensitivities etc). The proposed site allocations are accompanied by detailed Site Development Templates, which set out the detailed policy requirements the sites would be expected to deliver. This workstream is complete for the purposes of Reg18.
21. *Workstream 4* covers evidence base work and is broken down into 27 tasks, each aligning with a specific evidence base document / topic. Some of these tasks are awaiting final sign off but are sufficient for internal decision-making and have been made available to the LPLG. These will be published for Cabinet.
22. As stated above, the evidence base studies have informed the drafting of policies. For example, Viability evidence identifies challenges associated with planning for 40% affordable housing on all sites. As a result the draft Policy includes a proposed requirement for 35%. An assessment of relevant local data, including Local Housing Need, strongly suggests this will meet affordable housing needs in the district.
23. This workstream is 90% complete at time of writing and as far as it relates to Reg18. Evidence will continue to be built-up and refined between Reg18 and Reg19 stages.
24. *Workstream 6* covers all duty to cooperate (DtC) tasks. A DtC "statement of common ground" template was created and has been used to demonstrate DtC with relevant bodies. DtC discussions have taken place on strategic issues with bodies including Essex County Council, Greater Cambridge Partnership, Natural England, Historic England, the Environment Agency, Manchester Airport Group, the NHS and DLUHC. This Workstream has sought to resolve issues of a strategic nature between stakeholders and will require ongoing collaboration as the plan progresses and evolves.
25. *Workstream 8* concerns Communications and Consultation. Tasks completed include the drafting of a 'newsletter' document for all residents; the preparation of various press releases, website updating, and booking of community

'roadshow' venues. One of these tasks, titled 'youth engagement event' is now RAG rated 'amber' on account that the consultancy engaged to run this event has advised it has ceased trading as of end-September. Whilst not a statutory element of the consultation, officers and members of the LPLG are keen to hear the views of the district's young people and will give further consideration as to how this can now be achieved.

26. *Workstreams 5, 7 and 9* concern internal governance and reporting tasks. All required deadlines are being met.

Risk Register and Mitigation

27. The Risk Register is appended as Appendix 1. The highest rated risk is now **Risk ID.04 – Political Consensus**. Officers have sought to present the draft plan in as clear and as readable format as possible, incorporating input from LPLG and Counsel where possible. Officers will seek to assist the wider council membership ahead of Cabinet and Full Council with questions. This risk is given the highest possible 'impact' score, as failure to launch a consultation to the programme set out, makes it likely UDC will miss the government target discussed in paragraph 11 above.

28. **Risk ID.09 – Lack of Sites** has been closed, as with the reduced numbers of housing for allocation there are sufficient sites to accommodate the numbers as put forward in the 'call for sites', and without any incursion into the green belt.

29. An additional risk (**Risk ID.11 – Processing of Consultation Responses**) has been added. Officers must ensure every consultation response is logged, considered and tabulated for publication. We have a relatively short timescale in which to do this and a team of only nine members. We have mitigations including overtime for other planning staff, use of external consultancy staff, and potential use of AI. These have potential cost implications.

30. In terms of general risk management, since June 2023, the team has held monthly meetings with legal counsel (a KC and junior barrister) to review work undertaken against the demands of statutory process. Officers consider that this has made outcomes more robust. This has added to costs, but overall, the programme is within budget.

Conclusions

31. A draft Regulation 18 Plan has been produced in line with the timetable proposed in March 2023. Regular liaison with LPLG members has taken place and regular review with legal counsel has taken place. In some cases, officers and LPLG have taken pragmatic and flexible approaches to completing tasks in order to meet the challenging timetable, and had to hold meetings and review some information 'in camera'.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Failure to successfully Project Manage the Local Plan will result in an unsound Plan or inability to submit the plan due to government deadlines	2 – various elements of risk involved (see appendix 1)	4 - Lack of an adopted (or advanced emerging local plan) leading to potentially unacceptable development.	Various mitigations in place. Project management system in place (see appendix 1).

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.

Appendices

Appendix 1 – Local Plan Risk Register

