

**SCRUTINY COMMITTEE held at COMMITTEE ROOM - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on TUESDAY, 5
NOVEMBER 2019 at 7.30 pm**

Present: Councillor N Gregory (Chair)
Councillors M Caton, A Coote, C Criscione, G Driscoll,
G LeCount, N Reeve and G Sell

Officers in attendance: R Auty (Assistant Director - Corporate Services), A Bochel
(Democratic Services Officer), D French (Chief Executive),
G Glenday (Assistant Director - Planning) and A Webb (Director
- Finance and Corporate Services)

Also present: Councillors A Dean, J Evans, P Fairhurst, A Gerard, B Light, J
Lodge (Leader of the Council) and R Pavitt

SC24 DATES OF FUTURE MEETINGS

The Chair said that due to preparatory work for the upcoming general election, the meeting on 17 December 2019 was to be cancelled. The next meeting was due to be held on 4 February 2020. It was important that the Committee's task and finish groups continue their work in the interim.

SC25 POLITICAL PROPORTIONALITY

The Chair welcomed Councillor Lavelle to the Committee.

The Committee passed a vote of thanks for Councillor Evans for his work on the Committee.

The Chair said since the formation of the Green Party group at the Council, political proportionality rules meant that the group was unrepresented on the Scrutiny Committee. He proposed that the Committee allow a member of the Green Party to participate in meetings, although that member would not have voting rights.

Councillor Gerard said that he was the representative the Green Party was proposing to sit with the Committee.

RESOLVED to invite a representative of the Green Party to participate in meetings of the Scrutiny Committee, albeit without voting rights.

SC26 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Jones.

SC27 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting were approved and signed as a correct record subject to the following amendments shown in red:

SC21- The Chair opened the discussion by stating the next three items, while being dealt with individually, were of a similar theme and there was a perception in some quarters that the Council had not always acted as openly and truthfully as might be wished and whether there were issues of trust that might need to be resolved.

He gave a summary of the report. Cabinet had referred a matter to the Scrutiny Committee relating to the engagement of AECOM to review the Local Plan Sustainability Appraisal. The Chair had proposed a note to Cabinet following correspondence and a meeting which took place over the summer. This note summarised that there had been a failure to fully inform Members and the public of the potential challenges to the Sustainability Appraisal and proposed remedial action. This was due to an unintentional oversight by an officer. Measures were now in place that should preclude a repetition.

SC 22 – The Chair opened the discussion by asking if there was an inherent cloudiness in some documentation which caused uncertainty for some individuals.

The Chief Executive said that Probity in Planning as spelt out in the Constitution was clear and went further than the Act required. If Members now wanted to review that then it could be scheduled although she could not commit to a timescale.

Members and officers discussed more generally that there was a perception of a lack of trust between councillors and officers. This was an issue of concern, and it was important to consider why there was a deficit of trust between the two. Referring to an earlier comment about truthfulness, the Chief Executive drew a distinction between truthfulness and trust, and said that if any Member had evidence of officers being untruthful, that was a very serious allegation and needed to be raised as part of the Council's protocols. With regard to the perceptions around trust, she said that the trust that Members had in officers was not to the same standard as she had experienced in other councils, nor as had historically been the case at Uttlesford.

SC28 CABINET FORWARD PLAN

The Assistant Director – Corporate Services said the Cabinet Forward Plan had changed since the agenda was published. The Heritage Strategy was no longer going to the November Cabinet meeting. The North Essex Economic Strategy, the Land West of Woodside Way and the Review of the Housing Repairs and Facilities Service would all be taken to the November Cabinet meeting.

SC29 SCRUTINY WORK PROGRAMME 2019-20

The Chair said measures were being put in place to ensure the work of the Committee would continue until its next meeting.

The Assistant Director – Corporate Services said the work on airport-related parking and planning obligations and conditions could progress after the election and before the next committee meeting.

In response to a Member question, the Assistant Director – Corporate Services said there would be further opportunities for the Committee to comment on the Corporate Plan.

The Chair suggested members of the Airport-Related Parking Task and Finish Group liaise with the Councillor Merifield as the Chair of the Planning Committee. Councillor Gerard said he would be happy to assist with the work of this task group.

SC30 DRAFT CORPORATE PLAN 2020 - 2024

The Chair said his key question on the Corporate Plan was whether it was plausible and deliverable. He invited Councillor Criscione to lead on asking questions on the draft plan.

Councillor Criscione said there was a lack of substance to the document.

In response to a question from Councillor Criscione, the Chief Executive said the Corporate Plan was adopted by Council and ran for four years. The Corporate Plan Delivery Plan was sponsored by Cabinet in terms of what would be achieved throughout one year.

In response to a question from Councillor Criscione, the Leader of the Council said the strategy was new. The Residents for Uttlesford Party had gathered information at local events, and had discussed and prioritised initiatives. It was important to give residents a stronger say in what happened locally.

In response to a question from Councillor Criscione, the Leader of the Council said there would be deliverables for the Corporate Plan. These would come out in the delivery plan. There would be an expansion of this document which would say what the Council wanted to achieve and how. The Chair said the Committee would welcome an early look at this document.

Councillor Sell said the danger with a corporate plan was that it would not necessarily get results. Rigour was needed to ensure goals were accomplished. The South Cambridgeshire District Council Corporate Plan was a good example of showing what success would look like and how it could be measured.

Councillor Caton said the plan did not say enough about the administration's priorities and what the mechanisms were for achieving them. It would be good to see the actions to be taken listed.

The Leader of the Council said so far in its term the administration had expanded the Cabinet, set in motion changes to public speaking at the Planning Committee and set up the Governance Review Working Group amongst other things. There would be an improved Corporate Plan in place when work on it was completed.

Councillor Gerard said it was important to enable parish councils to better represent their communities.

Councillor Criscione said the plan should include reference to the aims of specific public services.

Councillor Sell said the comments of Members were meant to be helpful. The residents of the district should see results from the plan.

SC31 **INVESTMENT STRATEGY**

The Chair invited Councillor Caton to take the lead on questions on the Investment Strategy.

In response to a question from Councillor Caton, the Leader of the Council said his goal was for Uttlesford to be an 'invest and spend' authority'. Members were aware of the current projected shortfall and it was important to invest to help make up this shortfall. £80 million had been reserved for future investments and another £20 million for investment in Chesterford Research Park.

In response to a question from Councillor Caton, the Leader of the Council said that, where the investment involved Aspire, the Section 151 Officer had been separated from the work of investment analysis. This work would be undertaken by the Deputy S151 Officer, and two independent members of the Investment Board would be recruited, both with knowledge of investing.

In response to a question from Councillor Caton, the Leader of the Council said the Investment Board had not had any form of training on property investments. He was happy to look into training for the Board.

In response to a question from Councillor Caton, the Leader of the Council said the Council was not allowed to borrow to invest in equities and bonds. Largely the administration was looking to invest in a broad range of asset classes of real estate. The Chief Executive said the Council could use its own capital to invest in bonds and equities, but had nothing to secure this.

Members expressed concern about the capacity of the Director – Finance and Corporate Services to manage investment analysis, act as director of the Council's companies and carry out his other responsibilities, Councillor Criscione said the Director – Finance and Corporate Services was the best person to look

at identifying investment opportunities. The Leader of the Council said the Council was probably only looking to invest in about 8 properties.

In response to a Member question about the effect of the PWLB interest rate rise, the Director – Finance and Corporate Services said if the Council used PWLB it would have a significant effect on what the administration had been hoping to achieve. It would reduce the net income by £750,000 per annum. However, other brokers had already been in touch to offer to undercut the new rate. Using PWLB with regard to the investment in Purbeck House would reduce the Council's income by £20,000 per annum.

SC32 AIRPORT RELATED PARKING

The Assistant Director – Corporate Services said there were other bodies looking at this issue and it was important not to duplicate this work.

The Assistant Director – Planning reminded Members that the issue had been considered before, and that fly-parking was not illegal.

Members discussed the issue of the cost of parking at Stansted Airport. The high cost was said to be off-putting to the public which then generated parking off-airport. The high parking charges were supposed to encourage people to use public transport to get to the airport, but methods of public transport to the airport were poor.

One potential solution was for the Council to invest in creating a car park. However, what with the growth of the use of electric cars, investing in car parking was a risk. There was a feeling amongst some members that investing in transport infrastructure should be the responsibility of Stansted Airport.

Members discussed the issue of the hotline for making complaints to the airport about flyparking. The airport did not take down the registration number of any vehicles and many complaints did not receive a response. These vehicles were at risk of vandalism. Members said they believed employees of Stansted Airport also flyparked. They were charged £5 per day for parking at the airport.

A successful campaign to cut down on flyparking around Manchester Airport was mentioned. Manchester Airport had hired a contractor to issue permits for parking in the area. It had insisted that residents not be charged for permits.

The Assistant Director – Corporate Services said terms of reference for the Airport Related Parking Task Group would be drafted and a Lead Officer for the group would be appointed.

SC33 PLANNING OBLIGATIONS AND CONDITIONS TASK AND FINISH GROUP UPDATE

Councillor Criscione summarised the notes of the last meeting of the group. Topics of discussion had included available and new guidance for developer

contributions, open spaces, sustainable drainage systems (SUDs), engagement with parish and town councils, the Community Infrastructure Levy and report templates.

Councillor Gerard said he was keen to work with the task and finish group.

SC34 **MAJOR PLANNING APPLICATIONS REVIEW UPDATE**

The Assistant Director – Corporate Services said he and the Assistant Director – Planning had had a useful meeting with the Planning Advisory Service. Onsite interviews would take place with relevant officers and members in either November or January.

The Chair asked that the Committee be informed of the proposed date well in advance.

The meeting closed at 9.45pm.