

Uttlesford District Council

20 July 2021

Written Questions to Members of the Executive and Committee Chairs

Written responses published on 19 July 2021

1. By Councillor Pavitt to the Leader of the Council

'A year ago council unanimously passed the Water & Rivers, which included the following imperatives:

To call on those responsible for water supply and environmental protection to adopt immediate measures to avoid the loss of important river habitats.

To call on the Environment Agency to immediately submit a plan for restoring a proper and consistent flow to the rivers of Uttlesford (together with other measures).

Could the Leader please provide members with a report on progress towards these aims.'

Reply from Councillor John Evans, Cabinet Member for Planning and the Local Plan:

"Following the adoption of the Motion, the District Council wrote to the Environment Agency and a reply was received on 26 October 20. River Basin Management Plans are an important part of the Agency's work and in Uttlesford there are two: Anglian and Thames (we fall within the Cam and Ely Ouse Catchment Partnership (CamEO) and the Combined Essex Catchment called Essex Rivers Hub).

The River Basin Management Plans are currently under review by the Environment Agency and a consultation took place last year with revised Plans due to go out for consultation before final publication this year.

The District Council has also become a member of Water Resources East (WRE) which is preparing a strategy to address water supply and related environmental impacts which are serious issues for all local authorities in the region. The District Council is an active member of the organization and a Regional Strategy is in preparation for consultation before the end of 2021.

On 10 October 2020 officers of the District Council met representatives of the water companies and agencies and agreed how to collaborate in preparing the local plan.

On 27 April 2021 officers of the District Council met officers from Greater Cambridge Planning Service for an update on their work on Water Management

Studies (as well as decarbonizing the energy grid) and agreed detailed arrangements for further collaboration.

On 29 April 2021 the Local Plan Leadership Group agreed the methodology for undertaking the next stage in preparing the Regulation 18 Draft of the Local Plan in accordance with the approved Local Plan Development Scheme. The methodology recognizes that the water cycle issues, and related environmental issues, will be an integral part of the emerging local plan.

On 29 April 2021 both the Local Plan Leadership Group and the Strategic Infrastructure Delivery Group considered the proposed scope for a study on Water Cycle issues to guide the preparation of the local plan. The scope of the study is broad and includes consideration of the extent of phosphate pollution to our rivers and other watercourses emanating from sewage treatment works. Specialist consultants (JBA Consulting) have been appointed to do this work, officers recently had an inception meeting with the consultants, and there will be a full report back to members of the Local Plan Leadership Group and a presentation to the Strategic Infrastructure Delivery Group in November 2021.

On 22 April 2021 the consultation period closed for the Local Plan Issues and Options Stage and representations have been received from the Environment Agency, Anglian Water and Thames Water. These representations are currently being processed and are available to all members on the local plan website.

Both the Environment Agency and Water Resources East are actively considering a range of issues, including the matters raised in the adopted Motion. The Council will continue to engage with these organizations to ensure that the matters highlighted in the adopted Motion are fully addressed as a matter of priority.

The Local Plan presents a significant opportunity for the District Council to include measures to protect and improve water supply, river flow and environmental conditions and the actions described above support the preparation of a local plan to achieve that. The Council is currently obtaining further evidence and expert advice to ensure that this is done. Copies of all letters and meeting notes set out in this reply are available on request from the Assistant Director of Planning who will keep members informed of progress on this matter of great importance.”

2. By Councillor Khan of the Deputy Leader and Cabinet Member for Housing and Health

‘As we emerge from the pandemic, three issues that will impact on the Uttlesford public are debt, employment, and housing.

The 1963 Local Authorities Land Act gave councils the power to develop land; the 2000 Local Government Act gave councils the power to do anything that promotes the “wellbeing” of their communities; and the 2011 Localism Act, which bestowed the “general power of competence. One of the ways to put these powers into action is for Uttlesford to build council homes that offer secure tenancies thus helping develop better well-being for individuals and families.

Can the Cabinet member for Housing and Health inform the Council of the R4U pledge to build 163 new council homes:

- How many have been built since May 2019.
- How many are 1,2, 3 or 4 bedrooms.
- Are these homes built in a sustainable way and what reduction in carbon emissions has been achieved?’

Reply from Councillor Petrina Lees, Deputy Leader and Cabinet Member for Housing and Health:

How many have been built since May 2019:

“Ten homes have been completed. We are also on site in four locations that will deliver 44 new properties. Sixteen are due to be completed by September this year, one by the end of this year and the rest by the end of 2022.”

How many are 1,2, 3 or 4 bedrooms:

“Of the ten completions, there are 8 x 2 bed 2 x 1 bed.”

Are these homes built in a sustainable way and what reduction in carbon emissions has been achieved:

“The ten completions were built to prevailing building regulations and therefore meet national standards in relation to sustainability. On the current developments we are looking where ever possible to meet the council’s planning climate change policy guidance.”

3. By Councillor Khan of the Leader of the Council

‘The House of Commons Committee of Public Accounts Local Government Governance and Accountability report in May 2019 stated the following:

“Local politicians and council employees operate within a governance framework of checks and balances to ensure that decision-making is lawful, informed by objective advice, transparent and consultative. Key elements of the local framework include officers with statutory powers and responsibilities; internal checks and balances such as audit committees and internal audit; and external checks and balances such as external audit.”

At Uttlesford District Council, there is an ongoing police investigation into one or more R4U Councillors which has resulted in the External Auditor being unable to sign the Annual Governance Statement and therefore approve the full accounts.

Can the Leader of the Council provide an explanation as to why the individual/s concerned have not been asked to step aside whilst the police investigation continues and does he believe that the reputation of the Council has been tarnished by this episode? If not, why not.’

Reply from Councillor John Lodge, Leader of the Council:

“This question was asked by Cllr Sell and answered at the last full council meeting. Nothing has changed and there is nothing to add.”

4. By Councillor Sell of the Leader and the Cabinet Member for Planning and the Local Plan

‘What provision is being made in UDC car parks for the provision of electric vehicle charging points?’

Reply from Councillor John Evans, Cabinet Member for Planning and the Local Plan

“The latest update on EV Charging point installs in Council managed car parks across the district is as follows:

Under a Government Grant Scheme, installation is in progress at:

- White Street Car Park, Dunmow – 4 x 7kW floor/post mounted - dual outlet Fast Charger – 8 charging outlets total - Charge Points have been installed & commissioned.
- Chequers Lane Car Park, Dunmow – 4 x 7kW wall mounted - dual outlet Fast Charger – 8 charging outlets total - Scaffolding obstructing UKPN has resulted in slippage on the project, but the install date and completion of surface marking will be by the end of July.
- Crafton Green Car Park, Stansted – 4 x 7kW floor/post mounted - dual outlet Fast Charger – 8 charging outlets total - A wayleave issue with a third party that had been impeding progress has recently been resolved and works are progressing again. A marginal increase in costs has been incurred in resolving the wayleave.
- London Road Offices – 4 x 22kW dual outlet Floor standing Fast Chargers – 8 outlets total - these are located between the spaces for public use and part of the offices car park and are able to serve both groups of users. Site excavations carried in the week beginning 28 June revealed a number of high and low voltage cables. The high voltage network needs to be shut down to test the cables and identify the appropriate cable to be connected to the charger points. UKPN is due to return to site at the end of August for three days to complete its tasks.

In summary, 34 No. charging outlets in total will have been installed and commissioned under this programme by the end of Summer 2021.

The following installations were carried out in previous years:

The Common Car Park, Saffron Walden - dual outlet – 22kW Fast EV charging post (2019)

Lord Butler Fitness and Leisure Centre – dual outlet – 50kW Rapid charging outlet (2017)

It should be noted that the Council's installation programme is complemented by facilities provided on commercial sites including retail, employment, services, and Stansted Airport.”

5. By Councillor Sell of the Cabinet Member for Council and Public Services

‘What is the rationale for establishing a hub at the Walpole Meadows commercial building in Stansted? How many UDC staff will be based there and from when?’

Reply from Councillor Richard Freeman, Cabinet Member for Public and Council Services:

“It is Uttlesford policy where feasible to encourage a mix of home and office working, known as a hybrid working pattern, and to disperse its staff across the District provided there is no loss of service delivery. Covid forced home working upon us and the experience highlighted the benefits of remote working, and also the problems. For example, Covid illustrates the difficulty in providing a safe environment in a Victorian building. A modern building makes this much easier, especially if it is deliberately configured for this purpose.

This hub will be for up to 20 council staff who currently travel mainly from the south and west of Uttlesford and beyond as part of their hybrid working pattern. The staff area will likely be the upper floor with the remainder of the building available for commercial letting. Travelling time and associated costs will be reduced, as will carbon footprint. It will also increase our operational resilience by distributing our workplaces across more than one location.”

6. By Councillor Smith of the Cabinet Member for Finance and Budget

‘The Parish Councils in my ward are keen to submit proposals to the Local Highways Panel for several highways issues in their area. I am however concerned at the perceived lack of commitment from this administration, following its failure to offer its share of the LHP's funding, up front and without caveat, as has always been made in previous years.

Firstly, this gives rise to the risk that the council will decide what it funds, potentially using a subjective criteria that risks politicising the LHP. Secondly, the LHP clearly cannot include this offer in its budget, given the uncertainty that the funds will be forthcoming. Could the Portfolio holder explain why the Council's approach to funding the LHP has changed? Can the Council not spare the £200,000 that it would normally contribute to the panel?’

Reply from Councillor Neil Hargreaves, Cabinet Member for Finance and Budget:

“For the current financial year £200,000 of grant funding by UDC for ECC highway works is available, and a further £200,000 will be available in the 2022/23 financial year.

However, the Chair of the LHP, Cllr Gooding, has confirmed to me that ECC do not have the capability to administer any more projects, and cannot use the UDC funding on offer. Members of the LHP also say they have been told this is the ECC situation.

ECC added a further £200k into their budget this year for Uttlesford, and I understand similar amounts across the county. But it is unclear whether they have yet recruited the extra resource to validate, design and implement all the extra LHP schemes. If this is correct it will explain why ECC do not have capability to spend a further £200k from UDC.

I think it useful to explain the history and process, and to correct misunderstandings in the question.

Voluntary co-funding arrangements are included in the Terms of Reference for LHP's. See p5 of <https://www.essexhighways.org/uploads/lrf/lhptermsofreference.pdf>. The UDC budget has been for several years set at £100k pa, but in the last two years ECC did not make any call on the funds. In August 2020 I drew to the attention of the Highways officer that available funds had not been claimed. There has been no change in the arrangement, which, as explained by the ECC officer, is that the County approach those District councils which offer a match funding opportunity. The financial transaction is that ECC bill UDC. This has been confirmed to me by our Asst Director of Resources, and the last claim was in 2018/19. Nevertheless, no funds were requested by ECC for the 2020/21 year, and the reason given by the officer in 2020 was the same as now i.e. inability to handle more projects.

Hence a surplus has built up thus allowing the two tranches of £200,000 to be available, for this year and next year

As can be seen from the above, the statement in the question that funds were always paid up front is not correct. Neither is the statement that £200,000 pa would normally be provided, it is £100,000 plus £100,000 brought forward of unspent budget.

The voluntary grants by the District Council for County Council works are to benefit the residents of Uttlesford by facilitating highway works, often safety related, which might not otherwise take place. Project decisions are taken by the cross-party and cross-council Uttlesford LHP members. The statements about subjective criteria and politicising the LHP are not understood.

There is no reason why parish councils should delay submitting requests, and indeed I recently suggested to Widdington parish council that they should submit a request as they are seeking speed reduction measures. I trust that statements are not being made to parish councils dissuading them from submitting valid requests

or inferring that UDC are responsible for any lack of funds. The LHP is an ECC financial responsibility to which UDC volunteers extra grant funding.

Applications can be made by parish councils, and district and county councillors. The application process is here <https://www.essexhighways.org/highway-schemes-and-developments/local-highway-panels/lhp-request-public>.”

7. By Councillor Dean of the Cabinet Member for the Environment and Green Issues; Equalities

‘Council passed motions on climate change/climate emergency on 30 July and 16 December 2019. It also passed a motion supporting the reduction of single-use plastic on 8th December 2020. The Council’s current climate strategy includes a commitment to reducing single-use plastics and to increasing rural and urban tree planting. Has the Council’s recently appointed climate staff adopted the two priorities within the work plan as current priorities? When will an action plan with timed outcomes be published and when will substantial actual delivery take place?’

Reply from Councillor Louise Pepper, Cabinet Member for the Environment and Greens Issues; Equalities:

- a) “We are actively planning projects to raise awareness around unnecessary waste with a view to encouraging behaviour change;
- b) We will shortly be launching biodiversity citizen science project which will identify locations for further tree planting. This will complement other projects to address wider biodiversity and carbon sequestration goals;
- c) The action plan with timed outcomes has been requested for Scrutiny in September; and
- d) Substantial actual delivery is already taking place.”

8. By Councillor Dean of the Cabinet Member for the Environment and Green Issues; Equalities

‘A listening event took place 9th March 2021 to hear from district residents and others about this topic. I wrote immediately after the event that it had been impressive. Since that date, I have seen neither a written account of the event, nor am I aware of any follow-up activity. Could Members please be advised of steps taken since March 9th and what actions will follow during the rest of 2021?’

Reply from Councillor Louise Pepper, Cabinet Member for the Environment and Green Issues; Equalities:

“I thank Cllr Dean for his question and his positive comments regarding the listening event held on the 9th March 2021.

In April 2021 I circulated a summary report of the Celebrating Diversity event to all members alongside a report from the independent oversight panel which contained their views and comments of the Celebrating Diversity event (listening event).

Those reports and findings have been discussed with officers to help with forward planning. Officers have spoken with the consultant, Hayley Bennett, who we used to facilitate the Celebrating Diversity event and a workplan is being developed. A further listening event will be held in September. It was agreed that August was not feasible due to the holiday period. It is anticipated that a further 8 listening events will be held although not necessarily in the same format. The feedback received was that the community would like to see 2 to 3 of these events throughout the year.

The next event in September will be around disability and the problems that are associated with that protected characteristic. Legislation states that; you're disabled if: you have a physical or mental impairment. that impairment has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities. How do we address that for those living in the District? Do we need to? This event will take the same format as the previous one with speakers from the community being invited to talk about their experiences as Uttlesford residents.

The staff network group is being progressed. We are looking to consult with the group to identify the issues that they would like to focus on and to tease out any concerns that a staff member may have with Equality, Diversity, and inclusion within their role in the District Council.

We are also aiming to establish an Equality, Diversity and Inclusion Community Book club led by one of our residents who has offered to chair the group.

A budget will need to be established for the ongoing Equality, Diversity and Inclusion work.”

9. By Councillor Caton of the Leader of the Council

‘Can the Leader please inform the Council:

- (a) Of the total costs that the council itself has incurred on the determination and defending the appeal of the Stansted Airport (STAL) application to expand to 43 million passengers per annum?
- (b) The estimates of the costs of taking High Court action against the Planning Inspectorate at (1) the preliminary stage and (b) if the case is allowed to proceed to a full hearing?
- (c) Whether STAL has provided an estimate of costs they are claiming from the council? If so, are they in the hundreds of thousands or in the millions?’

Reply from Councillor Lodge, Leader of the Council:

“(a) This figure was included in the 2020-21 budget outturn report to Cabinet on 1 July. It was £1,034,000. The updated figure reported under Item 4 is £1,044,000.

(b) The estimates of the costs of taking action against the Secretary of State for Housing Communities and Local Government at the preliminary stage are in the region of £30,000. Counsel has only been instructed to date in respect of the preliminary stage. No estimate has been sought yet in respect of a full hearing.

(c) It is understood that STAL has prepared an estimate of the costs it is claiming, but this has not yet been served on the council. The total is not known yet. The principle of the award of its costs, in full or in part, is being challenged.”