

**SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 7
OCTOBER 2021 at 7.00 pm**

Present: Councillor N Gregory (Chair)
Councillors G Driscoll, R Jones, G LeCount, G Sell and
J De Vries

Officers in attendance: R Auty (Assistant Director - Corporate Services), C Edwards
(Democratic Services Officer), R Harborough (Director - Public
Services), P Holt (Chief Executive) and A Webb (Director -
Finance and Corporate Services)

SC24 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

The Committee welcomed the new Chief Executive to the Council and there was a unanimous vote of thanks to Roger Harborough for all the work he had put in over the years.

Apologies were received from Councillors A Coote, C Criscione, V Isham, and P Lavelle.

SC25 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 17 June 2021 were approved and would be signed by the Chair as a correct record at the next opportunity.

SC26 CABINET FORWARD PLAN

The Chair said that there was concern about the £20 cut to Universal Credit and the impact on residents. He said that the Local Council Tax Support scheme was the most generous in the County but asked if Cabinet would reconsider the scheme to make it even more generous. The Leader agreed to take this into account when the scheme was discussed.

The Chair asked if Councillor Freeman could provide a note to the Committee regarding the North Essex Parking Partnership and whether the new agreement would be on more advantageous terms.

SC27 SCRUTINY WORK PROGRAMME

The Chair asked that the Executive considered comments on and reservations about the early draft Climate Change Action Plan that had been published for a working group meeting, as this would not be looked at by Scrutiny until the 18th November meeting.

CORPORATE PLAN DELIVERY PLAN PROGRESS UPDATE

Councillor Reeve presented the progress on the Corporate Plan Delivery Plan and said that each action identified had a text update setting out the latest position. The business-as-usual items had almost completely been removed. He highlighted the following:

- Good progress had been made on the Local Plan.
- The East of England Local Government Association report on Planning Services had been issued.
- The main beneficiary of the Sports Field Grant allocation had been Saffron Walden Football Club in this calendar year.
- Progress had been made against the Economic Development Recovery Plan.
- The Climate Crisis strategy document had been published and the action plan would come to Scrutiny next month.
- The Saffron Walden Castle had been reopened to the public and taken off the 'at risk' register.
- The Investment Portfolio was on track for completion with a balanced budget.
- Uttlesford Moving Forward was progressing well.

The annual update of the Corporate Plan and the Delivery Plan continued, and the Committee's comments would be taken into account in the update.

The Chair asked why there was such a disparity in the responses.

Councillor Reeve took responsibility for the responses and said he would make sure that future comments were more comprehensive and uniform.

The Chair agreed to send examples by e-mail of comments that he thought needed more detail.

Councillor Sell gave an example in the section 'Progressive Custodian of Our Rural Environment' on page 44 under 'Work with others to increase access to the heritage and history of our district.' He said that the Walden Castle project was the only aspect mentioned under that section and therefore missed out other museums in the area.

Councillor Reeve said that the Walden Castle project was the activity selected for this year and therefore progress had been reported. He said in the next year's delivery plan, other areas could be highlighted for action, and he asked that the Scrutiny Committee made suggestions.

He said that he had been requested by the Committee at previous meetings to keep the report shorter and therefore on-going progress on day to day items such as the Heritage Asset List and Assets of Community Value were not included in the report.

Councillor Driscoll asked how the decision was made regarding the Great Canfield Depot, page 38, and the option to use hydrotreated vegetable oil in the fuel tanks. He also asked to see the report on solar panels being installed on HGV vehicles.

Councillor Reeve said that the tanks would be suitable for whatever fuel was chosen and these decisions were being made to improve the green credentials of the Council.

The Chair proposed to accept the report, he said that it was a considerable improvement on both previous reports. He thanked all the staff that worked on the plan. The Committee agreed unanimously to accept the report.

RESOLVED to note the progress against the Delivery Plan for 2021-22 and to provide comment to Cabinet.

SC29 REVIEW OF THE PLANNING SERVICE

The Chair asked the Committee to focus on how to move forward and to address and resolve problems rather than discuss what had happened in the past.

He said the report showed how difficult it was for residents to contact the department and be involved with the planning process.

Councillor Evans said that the Planning Service was a corporate function, which was vital to get right.

He said that there were 8 recommendations directed at each of the main bodies, (Members, the Executive and paid staff). He said the steps taken so far were shown on page 57, number 13 onwards. He highlighted the following: -

- Recruitment was completed or underway for: -
 - a Transformation Lead Officer, Jeanette Walsh.
 - a temporary Director - there were 3 individuals being considered.
 - two Specialist Planning Lawyers
 - two Principal Planning Officers
- Work had started on the Section 106, planning obligations.
- Work had been undertaken regarding Idox.
- The Planning Committee had started work on a new report format, the working party of the Planning Committee would be regularised.
- Work continued as part of a partnership approach, to develop the model Memorandum of Understanding for landowners and developers of larger sites.
- Work had been undertaken with Highways England and Essex County Council.
- Community engagement progressed including with the third tier Councils.

He said he would come back to the Committee in 6 months with a full report and a plan to be achieved but he could not give specifics at this meeting of what recommendations would be completed or by when.

The Chief Executive said that he had received a letter from the Department for Levelling up, Housing and Communities. The Council had exceeded the threshold for major applications lost at appeal. This was not disputed or unexpected. There was already the review of planning underway, and the Government required the commitment of the Council and an action plan to get back on track. He said the solution would require change throughout the service, and did not relate to a small section of people but was a team challenge and required a team solution.

Councillor Le Count said he was concerned about the Council's action plan and thought a review in 6 months was too late. Members agreed. The Chair said he wanted to see a detailed action plan with timelines, budget, who and how it would be managed, who would be accountable, how it would be monitored and how success would be determined.

Councillor Evans said there was a skeleton action plan from page 22 onwards, actions were identified and would be implemented.

He said the Transformation Lead Officer would be reporting every fortnight to him and the Chair of Planning Committee setting out accomplishments and seeking support on any how to resolve them.

Councillor De Vries left the meeting at 8pm.

In response to a question from Councillor Sell, the Director of Finance and Corporate Services confirmed that the report was incorrect and confirmed that the base budget had increased year on year. In response to a further question from the Chair he said that the rise was at least inflationary, including staff salaries and that the 2018 review had built in extra roles with growth over and above inflation in some years.

Councillor Lees said that the report covered the planning review in 2018 specifically on page 76 and more broadly on pages 72 to 80.

Councillor Evans reiterated that responsibility was with the body corporate and not just one aspect of the Council or the Planning Service.

Councillor Sell said there was no accountability if everyone was responsible.

Councillor Evans said he was not seeking to avoid responsibility but there was a myriad of reasons why the service had not performed as it should. He said it was his responsibility to implement the recommendations in the report and he would be accountable for that process.

Councillor Jones suggested that this was brought back to a future Scrutiny Committee to see what progress had been made. He said he could not scrutinise what could or may happen in the future.

Councillor Driscoll asked when there would be a full enforcement team and stressed the importance of this element of the Planning Service.

The Director of Public Services said a comprehensive report including accountability and a clear detailed programme would take time. He said Enforcement was part of the action plan but there were competing priorities. He recognised the importance of this aspect of the service.

In response to a question from Councillor Sell, Councillor Lees said she had spoken to Councillor Hargreaves who had confirmed that the extra money required for the implementation of the recommendations had been accounted for and would be made available.

The Chair summarised the discussion. He said it was important that residents received the best possible service in the future. He said there needed to be clarity on who would take responsibility for the delivery of the service although he recognised that there was an element of corporate responsibility. He said there also needed to be an understanding of how the recommendations would be implemented.

Councillor Evans agreed to provide a brief implementation plan at the November Scrutiny Committee that set out levels of responsibility and included estimated timelines. He also agreed that a more comprehensive plan would be provided for the February Scrutiny Committee.

The Committee voted unanimously in favour of remitting the report to Cabinet.

RESOLVED to consider the report, its findings and recommendations, and to offer comment to the Cabinet on its content.

SC30 **STANSTED AIRPORT APPEAL REVIEW - VERBAL UPDATE**

Councillor Le Count was concerned that the members of the working party set up to review the appeal would struggle to be impartial given the Member motion of no confidence at the Council meeting the previous day.

It was a cross party group of:-
Councillor Fairhurst
Councillor Criscione
Councillor Khan
Councillor Coote
and himself, Councillor Le Count

He asked for some advice on how to progress.

There was discussion and Members, and Officers made the following points:

- The review must be objective.
- In response to a question from Councillor Sell, the Chair said that there would be independent advice provided to the group and Full Council had approved this way forward.

- The Assistant Director – Corporate Services said that the Monitoring Officer had a call booked with the Local Government Association on Monday to find an independent consultant to steer the work undertaken by the group.
- The Chief Executive said because the working group did not have decision making powers, predetermination was not necessarily a disqualifying factor. He said that any member who had voted at Full Council could be seen to have predetermined views. He said that it was up to the Scrutiny Committee to decide if the working group membership needed to be changed. He said that there would be some objectivity of information through the independent advice and the Lead Officer (who was the Monitoring Officer).
- Councillor Lees said that the working group was looking at facts which were difficult to be manipulated for political gain.

Following a suggestion from the Chief Executive, the Chair put forward that another member was added to the group to improve the perception of fair representation of political views. Councillor Jones volunteered to be the extra member of the working group.

The meeting ended at 9.00pm.