

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 19 OCTOBER 2021 at 7.00 pm

Present: Councillor J Lodge (Chair)
Councillors A Armstrong, C Day, J Evans, R Freeman,
N Hargreaves, P Lees and N Reeve

Officers in attendance: P Holt (Chief Executive), B Ferguson (Democratic Services Manager), R Harborough (Director - Public Services) and A Knight (Assistant Director - Resources)

Also present: Councillors M Caton (Leader of the Liberal Democrat Group), N Gregory (Chair of the Scrutiny Committee), B Light (Leader of the Green Group) and R Pavitt (Leader of Uttlesford Independent Group).

CAB45 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Pepper.

CAB46 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 September were approved as a true and correct record.

CAB47 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL (STANDING ITEM)

In response to a question from Councillor Caton regarding all members contributing to the Ethical Investment Policy, Councillor Reeve said the Policy had been recommended to Cabinet by the cross-party Investment Board and would be considered at Full Council in December. The pre-approval process had been thorough and the Policy should have been determined by Council in October.

CAB48 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

Councillor Gregory provided a report on the Scrutiny Committee's activity since the previous Cabinet meeting in September. He said the Committee had been impressed by the management of the Local Plan process and praised the work of the Local Plan Project Manager and the Local Plan and New Communities Manager. However, the Committee held reservations regarding the Memorandum of Understanding document and wanted to see local councils formally included in the process.

In response, Councillor Evans said a consultation with third tier councils had begun on the technical process, in the context of the 'call for sites' exercise. He said formal consultation on emerging policies would normally happen at the Regulation 18 and 19 stage. This was a work in progress and he would keep Scrutiny informed.

Councillor Gregory asked that details relating to the call for sites be shared with third tier councils. In terms of other scrutiny workstreams, he said the Committee noted the forthcoming Local Council Tax Support Scheme and asked Cabinet to consider increasing the support for residents at this difficult time, to what was already the most generous scheme in Essex. The Committee were not impressed with the Corporate Plan Delivery Plan (CPDP), and although there had been some improvement, there was still many areas that required improvement and lacked detail. The Committee had highlighted the areas that required more work and he asked that monitoring of the CPDP be stepped up.

Councillor Reeve noted the comments and thanked Committee for their comments. He said he would endeavour to improve the CPDP.

In regards to the Planning Review report, Councillor Gregory said he expected an implementation plan to be presented to Scrutiny Committee in November. The plan should include specifics on what would change in the planning service and a timeline in order for Scrutiny to monitor the implementation process.

CAB49 REPORT OF DELEGATED DECISIONS TAKEN BY CABINET MEMBERS (STANDING ITEM)

Cabinet noted the decision regarding the Designation of the Takeley Neighbourhood Plan Area, which had been published on 29 September 2021.

CAB50 REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE (STANDING ITEM)

There were no assets of community value decisions to report.

CAB51 BUDGET 2021/22 - QUARTER 1 FORECAST OUTTURN

Councillor Hargreaves presented the report, which detailed the financial performance of the General Fund, Housing Revenue Account, Capital Programme and Treasury Management. Details were based upon actual expenditure and income from April to June and predicted a forecast for the end of the 2021/22 financial year.

In response to a question from Councillor Caton, Councillor Hargreaves said the figures relating to recent interim appointments were not included as the report pertained to quarter one of the financial year. However, recruitment costs for the

Chief Executive had been included. He agreed that it would be helpful to have a clear budget line for expenditure relating to the Transformation Programme and this would be included in the next Quarter 2 Forecast Outturn report.

In response to a question on the Housing Revenue Account, the Assistant Director – Resources said rent collections were currently on target, although in light of the furlough scheme coming to an end, a downturn was expected in the near future. Debt management support and additional funds would be made available to assist residents. Councillor Hargreaves added that this was listed as a risk in the report; the issue would be exacerbated by rising fuel and living costs.

In response to a question from Councillor Lees regarding overspend, Councillor Hargreaves confirmed that the term 'overspend' related to spending which had been budgeted for but had been spent sooner than expected.

The Leader added that due to the success of the investment programme, additional revenue was being generated earlier than expected.

RESOLVED to approve The General Fund, Housing Revenue Account and Capital Programme forecast outturn positions including the updated use of reserves and requested slippage for the Capital Programme.

CAB52 REVIEW OF THE PLANNING SERVICE

Councillor Evans presented the Review of the Planning Service report, which outlined details relating to the peer review undertaken by the East of England Local Government Association (EELGA) and addressed how to improve the Council's development management service. The report contained eight recommendations for implementation to improve the service. He said he had accepted Scrutiny Committee's request to come back in 6 months' time to provide an update on progress, and to also produce an implementation plan in readiness for the meeting in November. A number of actions had already been completed, or were near completion, including:

- The appointment of a Planning Transformation Lead.
- The imminent appointment of an Interim Director of Planning.
- Legal and senior planning posts had been created to assist the service.
- A new and improved Planning Committee report template and format would be introduced imminently.
- A Planning Committee member training programme was in development.
- The call-in procedure had been identified as an area in need of revision.

He said measures contained in the peer review were budgeted for and would be implemented as soon as possible. He proposed the recommendation set out in the report.

The Leader said planning had been identified as an area for improvement in the early days of the Administration; he thanked the interim and newly appointed Chief Executive for the speed at which they had moved this review forward.

Councillor Caton welcomed the recommendations in the report. He expressed disappointment that the 2018 peer review report had not been acted upon at the time. Furthermore, he said planning performance management issues should have been brought to Planning Committee in the past, and that opposition leaders should be kept informed of developments relating to the planning transformation project. He wished the Administration well with implementation of the recommendations and said he would remain a “critical friend”.

The Leader agreed with Councillor Caton’s comments on the 2018 report. He said Councillor Caton was welcome to attend regular Group Leaders’ meetings for routine briefings.

Councillor Hargreaves said performance reports would nominally be considered by the Governance, Audit and Performance Committee.

The Chief Executive said planning performance indicators would be refined and revised in light of the report and the letter from the Department for Levelling Up, Housing and Communities setting out that the Council was failing in terms of the proportion of major planning applications overturned at appeal. He said the responsibility to improve the service would be a shared endeavour between the Executive, Planning Committee, officers and all members. There was a need to work together to get this process right.

Councillor Lees read out a statement on behalf of Councillor Pepper, who was not present, which said the planning service had dealt with some major issues in the past two years and it had been challenging for all involved. Furthermore, she highlighted the environmental reasons why unsustainable planning applications should be refused and said the Government’s Planning White Paper and housing algorithm should be reviewed. She was confident that the right personnel were in place to produce a sound Local Plan.

Councillor Day said the Administration made decisions based on the evidence before them; this detailed report provided such evidence and the situation would now be put right.

Councillor Freeman said controls needed to be put in place whereby planning committee members were warned when the number of applications being determined against officer recommendation was at such a high level that the Government would intervene. He said the late Councillor Storah had been extremely effective at defending such applications but the Council now needed an automated system to caution councillors when in danger of passing this threshold.

RESOLVED to:

- a. receive and consider the report, together with any comments or recommendations from the Scrutiny Committee;

- b. note the improvement actions implemented to date;
- c. approve the recommendations of the report, as amended if agreed under (a) above, for implementation towards an improved planning management service;
- d. acknowledge the recommendations directed to the Cabinet and its Executive Members and requests the Chief Executive and the Leader to bring forward proposals to address these recommendations;
- e. consider any consequential resource implications as part of consideration of the Council budget for 2022-23;
- f. require a progress report to Cabinet on implementation of the recommendations no later than six months from this meeting; and refer the report to the Planning Committee for its information and consideration.

The meeting was closed at 8.10pm.