

COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 6 DECEMBER 2022 at 7.00 pm

Present: Councillor H Asker (Chair)
Councillors S Barker, M Caton, A Coote, C Criscione, G Driscoll, D Eke, J Emanuel, J Evans, P Fairhurst, M Foley, R Freeman, N Hargreaves, V Isham, R Jones, A Khan, P Lavelle, G LeCount, P Lees, M Lemon, B Light, J Lodge, J Loughlin, S Luck, S Merifield, E Oliver, R Pavitt, N Reeve, G Sell, G Smith, M Sutton, M Tayler and J De Vries

Officers in attendance: P Holt (Chief Executive), N Coombs (Senior Lawyer), B Ferguson (Democratic Services Manager), J Reynolds (Assistant Director - Governance and Legal), C Shanley-Grozavu (Democratic Services Officer), E Smith (Solicitor) and A Webb (Director - Finance and Corporate Services)

Also Present: D Ashton and M Pearson (Public Speakers); D Drury, B Dyson and L Riley (Independent Remuneration Panel members).

C54 PUBLIC SPEAKING

The Chair welcomed all councillors and members of the Independent Remuneration Panel to the meeting.

Councillor Jones provided an update on the Council's recent receipt of the Silver Armed Forces Covenant Award. He thanked Kerry Vinton and other officers for their work in achieving the award.

Ms Desiree Ashton and Ms Maria Pearson addressed Council. Summaries of their statements are appended to these minutes.

C55 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Bagnall, Dean, Gregory and Pepper.

Councillor Smith declared a non-pecuniary interest in Agenda Item 10 (Ashdon Neighbourhood Plan) as a member of Ashdon Parish Council.

He also declared a pecuniary interest in Agenda Items 13 (Member Motion: Cambridge Congestion Charge Consultation Response) and 15 (Member Motion: Anglian Water and Thames Water) as his employer provided services to the named organisations and took no part in either item.

Councillor Barker declared a non-pecuniary interest in Agenda Item 6a (Local Council Tax Scheme Proposals 2023/24 and Consultation Responses) and 14 (Member Motion: Council Tax Freeze) as a member of Essex County Council.

C56 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meetings on 11 October 2022 were approved and signed by the Chair as a correct record of the meeting.

C57 **CHAIR'S ANNOUNCEMENTS**

The Chair invited members to a Carol Service at St. Mary's Church on Thursday 15 December. Proceeds would be used to support youth outreach and projects within the district.

C58 **REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

Reports from the following Portfolio Holders were noted:

- Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan
- Portfolio Holder for Housing
- Portfolio Holder for the Economy, Investment and Corporate Strategy
- Portfolio Holder for Budget and Finance
- Portfolio Holder for the Environment and Green Issues; Equalities

Following the recent statement from the Secretary of State for Levelling Up, Housing and Communities in regard to housing numbers, the Leader of the Council assured members that it would not have an immediate impact on the emerging Local Plan as there had been no change to the law. She had been advised by the Director of Planning that officers would progress as planned, with flexibility to implement any policy changes which the government may wish to introduce once they have completed their consultations.

C59 **QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRS (UP TO 30 MINUTES)**

The Chair invited Councillor Khan to ask his urgent question to Councillor Hargreaves, Portfolio Holder for Budget and Finance, regarding Council Services over the next five years and remarks made by senior officers and the Leader in respect of deteriorating finances.

In response to the urgent question, Councillor Hargreaves said that there was no inconsistency between remarks made by officers and the administration, and that the Council was in a "tough, but manageable" financial position which was better than many other Councils. He was unable to offer any guarantees as they could not predict how the rate of inflation would go, or how much government funding the Council would receive both in the short and long term. He felt that it was disappointing that experienced opposition members were not offering any support with the plan to manage finances over the next few years.

He said that the question was also comforting as the opposition parties usually ignored the administration before an election and the question assumed that the

administration would win the next election. The opposition had raised nine questions all criticising Council finances but at the same time, raised a costly Council motion.

In response, Councillor Khan said that he was looking for clarity in whether there was a contradiction between statements made by the administration in the recent Cabinet meeting and the professional advice given by Officers. Councillor Hargreaves had chosen not to answer but to provide a stock response from his political party.

In response to a question for further clarification from Councillor Sell, Councillor Sutton said that the answer given seemed adequate and that they were constantly reviewing. Councillor Hargreaves also responded that the Voluntary Support Grants were continuing, and the Voluntary Support Grants Committee were currently in the process of allocating the £310,000 budget for the next financial year.

In response to a question for clarification from Councillor Loughlin, Councillor Freeman said that he had initially voted against the policy of the Council making investments. However, it had turned out well and the situation which the Council currently finds themselves in was much less difficult than it would have been if others had followed his previous instinct. Whilst he couldn't see how the future would turn out, the Council had statutory requirements which they would try their best to meet as well as a lot more besides.

Councillor Loughlin replied that he had not provided an answer to her question.

In response to a question from Councillor Khan on protecting the Housing portfolio, Councillor Coote said that he would fight to get as much as he could for the revenue account to ensure that it was correct. It was not within his gift to be able to say how much the service would need, if there would be an increase in repairs or how much they could rely on funding from central government; but he stood by the record of both the administration and himself in supporting social housing.

In response to Councillor Khan's request for a report detailing how many damp issues had been rectified by ward, Councillor Coote said that Uttlesford Norse had been under pressure to give the Council many reports, including on their performance, and he had found at times that the data provided didn't collate with what they were finding out. He explained that he was unable to provide figures currently as they were working on them, and members and residents would be provided with the facts as soon as possible. The Council were also contacting Housing Associations for their figures to make sure that it wasn't just the Council's Social Housing which was being addressed and the Council would do its best to protect anyone in social and rented accommodation.

In response to a question for further clarification from Councillor Isham, Councillor Evans said that the generic answer was applicable, but in terms of his Portfolio, one of the greatest problems was with staff recruitment, particularly the headcount in Planning. This was not unique to Uttlesford and the Director of

Planning was meeting a representative from DLUCH officials to discuss these issues.

In response to a question from Councillor Fairhurst regarding secrecy by the administration, the Leader of the Council said that there was no secrecy, and the relevant meetings were being convened to discuss issues such as investments and the Local Plan. She explained that members needed clarity and understanding as the cost-of-living crisis was making everyone a bit unsure and reiterated that the current budget was fine and next year's budget would look at addressing the finances. Whilst the administration would set the budget, members needed to work together and if any members needed any clarification or workshops on the finances, this could be arranged.

The Chair confirmed that those Councillors who did not have the opportunity to ask their question of clarification due to lack of time, could send a written question of clarification after the meeting.

C60

MATTERS REFERRED FROM THE EXECUTIVE: LOCAL COUNCIL TAX SCHEME PROPOSALS 2023/24 AND CONSULTATION RESPONSES

Councillor Hargreaves, Portfolio Holder for Budget and Finance, presented the report on the annual review of the Local Council Tax Support (LCTS) Scheme and suggested amendments to the scheme for the following financial year.

He proposed that members approved the recommended Local Council Tax Support Scheme for 2023/24.

Councillor Emanuel seconded the proposal.

Councillor Caton indicated that the Liberal Democrats would vote in favour of the proposals, as they were progressive.

Councillor Criscione raised concerns that the Equality and Health Impact Assessment had given a neutral impact to Socio-economic status and disability when theoretically it should have a positive impact to achieve the proposal's aims.

In response to a question of clarification from Councillor Barker, Councillor Hargreaves confirmed that the Department for Communities and Local Government were consulted on the proposals and had accepted that they would contribute to the support scheme at the suggested level.

RESOLVED to approve the Local Council Tax Support Scheme for 2023/24 as set out below:

- I. The contribution rate is frozen for the ninth consecutive year at 12.5%.
- II. The Council continues to protect Vulnerable and Disabled Residents and Carer's on a low income.

C61 **MATTER REFERRED FROM GAP COMMITTEE: GENERAL CHANGES TO THE CONSTITUTION**

Councillor Oliver, Chair of Governance, Audit and Performance (GAP) Committee, presented the report on recent updates to the Council's Constitution. He highlighted that Committee Chairs would review a number of general amendments which had been deferred from September's GAP meeting for further consultation. These were expected to return to the Committee for their consideration after the election.

The report was noted.

C62 **MATTERS RECEIVED ABOUT JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

No matters received.

C63 **MEMBERS' ALLOWANCE SCHEME 2023-24**

Diane Drury, the Chair of the Independent Remuneration Panel (IRP), presented the report regarding the Members' Scheme of allowances for 2023/24, which proposed a 3% uplift to the Basic and Special Responsibility Allowances. She gave thanks to members for their ongoing contributions to the review process and to Democratic Services for their assistance.

Councillor Hargreaves proposed the recommendations set out in the report; this was seconded by Councillor Emanuel.

Councillor Hargreaves said that the Member Allowance allowed individuals from all sectors to participate and if it did not move along with inflation, it would exclude participation for some groups of the community. The allowance was already under the National Living Wage and the increase was a third of the current rate of inflation.

Councillor Light presented her amendment to retain the current level of allowances. She said that residents were struggling in the current cost of living crisis, and as the allowance was coming from the public purse, members needed to be considerate where they could. The amendment was an opportunity to recognise the impact of the cost-of-living crisis on residents by choosing to retain the current level of allowances.

Councillor Isham seconded the amendment.

Members thanked the Panel for their work and discussed the recommendations and amendment presented to them. In summary, the following points were made:

- Members should be able to decide individually whether to accept the additional allowance, or forgo it.

- Some members relied on the allowance as it allowed them to reduce their working hours in order to do Council business or travel around their ward.
- Members did not want to take the opportunity away from prospective Councillors who wanted to engage in the political process but may not be able to afford to.
- The current cost of living crisis was a medium-term problem which would not ease in the next couple of years. Should members choose to oppose an increase in the allowance, then Council may arrive at the point when they need a 10-15% increase down the line to keep up with the rise in inflation.
- Members needed to ensure that the Independent Panel's work was separated from politics, to avoid members meddling in their own pay.
- Choosing to retain the allowance at the current level was a gesture to residents currently struggling in the cost-of-living crisis.
- The money was not the issue in recruiting younger, engaged people. The Council needed to be more diverse, but this would be achieved through diversifying the recruitment process and looking for capable people, rather than people relying on the money.

The Chair summarised the debate and thanked the IRP for their hard work. She moved to a vote on the amendment.

The amendment was defeated.

The Chair moved to a vote on the recommendations outlined in the report.

RESOLVED: That the Council:

- I. Adopts the recommended scheme of allowances for the year 2023/24 as set out in Appendix A to the report, effectively increasing the current level of basic allowance and all existing special responsibility allowances (SRAs) by 3.00%.
- II. Continues with the current individual SRAs for Portfolio Holders in 2023/24.
- III. Notes the importance of the Carers Allowance Scheme to encourage those with caring responsibilities to become Councillors.

C64

REFRESHMENT OF THE EVIDENTIAL TRAIL REGARDING THE COUNCIL'S ABILITY TO PROSECUTE OFFENCES UNDER PART II LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Councillor Lavelle, Chair of the Licensing and Environmental Committee, presented a report on refreshing the evidence trail on the Council's ability to prosecute Hackney and Private Vehicle Drivers under Part II of the Local Government (Miscellaneous Provisions) Act 1976. He moved the recommendation as set out in the report.

Councillor Tayler seconded the proposals.

Members commended both officers and Councillor Lavelle for their work and clarification on refreshing the evidence trail.

RESOLVED: That the Council

- I. confirm the resolution dated 31st January 1989
- II. that the steps required under S45 of the 1976 Act to publicise the making of the said resolution are undertaken

C65 **ASHDON NEIGHBOURHOOD PLAN**

Councillor Evans, Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan, presented the report on the Ashdon Neighbourhood Plan, which had been approved at a referendum on 20 October 2022.

He endorsed the report and proposed that the Ashdon Neighbourhood Plan be formally made as part of the statutory development plan for the District.

Councillor Smith seconded the proposal. He commended the Neighbourhood Plan for being a detailed, well-informed document and thanked staff, including those who assisted in the Polling Station during the referendum.

Members welcomed the proposed plan, particularly for its ambitions for more social housing, the inclusion of protected lanes and the clear presentations which the authors had given to residents.

As the ward member for Ashdon, Councillor de Vries congratulated the neighbourhood plan's steering group for their work.

RESOLVED: that the Ashdon Neighbourhood Plan be formally made as part of the statutory development plan for the District.

C66 **CALENDAR OF MEETINGS 2023-24**

The Calendar of Meetings for 2023 - 2024 was noted.

In response to a question from Councillor Driscoll, Councillor Merifield explained that Planning Committee were required to meet throughout the year, including in the summer. If members were unavailable for any meetings, they were able to send a substitute to attend in their place.

C67 **POLITICAL BALANCE AND COMMITTEE APPOINTMENTS**

Councillor Lees, Leader of the Council, presented the report on Political Balance and Committee Appointments following the by-election scheduled for 5 January 2023.

She proposed that the Monitoring Officer would agree committee appointments in accordance with the Political Balance calculation and in consultation with Group Leaders.

Councillor Hargreaves seconded the proposal.

RESOLVED: That the Monitoring Officer, in consultation with Group Leaders, agrees committee appointments in accordance with the Political Balance calculation following the by-election on 5 January 2023, as necessary.

Members voted to extend the meeting to 21:30.

C68 **MEMBER MOTION: CAMBRIDGE CONGESTION CHARGE CONSULTATION RESPONSE**

Councillor Sutton presented her motion regarding the Council's response to the Cambridge Congestion Charge consultation. She highlighted her concerns with the inclusion of Addenbrookes Hospital within the proposed congestion zone, and the impact which this would have on patients, carers and visitors.

Councillor Hargreaves seconded the motion. He said that the major issue in Cambridge was congestion, however vehicles travelling to Addenbrookes from the south avoided the city centre so were not the cause of this. He highlighted various shortcomings to the proposal, including the inaccessibility of the Park and Ride services to some patients, the suggested charges to motorbikes but not taxis and the additional costs to NHS delivery vehicles.

He explained that the motion was left intentionally slim in order to give the Chief Executive flexibility in how to word the response.

The Chair moved to a vote.

RESOLVED: The council requests the chief executive to respond to the consultation expressing this council's serious concern about the financial impact and stress of the proposals on the many patients, carers, visitors and staff from Uttlesford for whom alternatives to car transport are not realistic

The GCP is to be strongly requested to exclude the Cambridge Biomedical Campus from any congestion charge implementation.

C69 **MEMBER MOTION: COUNCIL TAX FREEZE**

Councillor Caton presented his motion on a proposed freeze to Council Tax for the 2023/24 financial year. He said that, due to the turbulent economic times, the Council needed to consider what support could be targeted at vulnerable groups and he felt that this could be achieved by a Council Tax rebate for lower- and middle-income families. The motion itself was to commit to a freeze of UDC's share of Council Tax whilst a decision was made on a possible rebate which could be distributed to homes in Council Tax Bands A-D.

Councillor Fairhurst seconded the motion.

Councillor Hargreaves proposed his amendment. He said that the wording of motion was unclear on what it was requiring, and as it was only advisory, the Council was not bound to it when setting next year's rates. The amendment would allow for further discussions between officers and members, which was needed as a possible freeze would reduce council expenditure and income.

Councillor Reeve seconded the amendment.

Councillor Caton clarified that he had already had a conversation with the Section 151 Officer about the possibility of the Council increasing their Council tax which could then be rebated to homes in Council Tax Bands A-D.

Members discussed the motion and amendment presented to them. Those against the amendment argued that members needed to accept their leadership role in supporting residents in need, rather than adding to their financial burdens. The motion was agreeing to a freeze of Council Tax, in principle, which would benefit many residents who were struggling in the cost-of-living crisis.

On the other hand, those in favour of the amendment argued that that members needed to work collaboratively with the Section 151 Officers to get the Council Tax proposals right, however, this could only be done once preliminary budget discussions had taken place. Voting to freeze Council Tax, without certainty of the Council's financial demands for the upcoming year may result in a shortage in funding which would impact on services. Councillor Hargreaves highlighted that the Council did not have the ability to tax individual bands differently than what was in statute.

The Chair moved to a vote on the amendment.

The amendment was carried and became the substantive motion.

Councillor Fairhurst said that the original motion was a principal commitment and a gesture to those residents struggling at the current time as a rebate would have made a difference to them. By approving the amendment, the Council were pulling the gesture in order to do their homework.

Councillor Foley said that such gesture had not been put off, and that there was a broad agreement to move forward collaboratively.

Councillor Lees said that principles were easy words; it was not about whether you say it, but about whether you do it and members wanted to ensure that it was done right.

The Chair moved to a vote on the substantive motion.

RESOLVED: In light of the Office for Budget Responsibility forecast that real household disposable income will fall by 7.1% between 2021/22 and 2023/24, worsening the existing Cost of Living Crisis and further

squeezing the vulnerable and low to middle income families, this Council resolves to:

Hold a budget council tax workshop for all council members with the relevant officers, to ensure that members are clearly informed regarding tax proposals and options to ensure a full understanding is reached prior to decisions being made.

Council also notes the budget amendment passed unanimously last year that gave a £100 grant to 863 households cost £86,300 and was funded from the MTFS Reserve. The cost of a freeze on UDC's share of the Council tax in 2023/24 benefiting households in the district is estimated to be £180,000.

C70

MEMBER MOTION: ANGLIAN WATER AND THAMES WATER

Councillor Isham presented his motion on Anglian Water and Thames Water. He said that the dumping and discharge of raw sewage was wrong and that the motion would allow members the gain the opportunity for proper dialogue with suppliers, through the Scrutiny Committee.

Councillor Light seconded the motion.

Councillor Pavitt said that the motion had well intentions but was misguided as there was little point inviting suppliers to Scrutiny Committee to retell members the same information which they had already presented in Parliamentary Committees. He highlighted that raw sewage was not the problem in Uttlesford; rather, the district had a major problem with treatment works being overwhelmed which was under the responsibility of the Environment Agency.

He felt that the motion would cost a great deal of member and officer time, during a period where time was already short. He suggested that it be deferred to be reworded and targeted more carefully.

Both the Proposer and Seconder agreed to withdraw the motion so that further work could be done on it.

Meeting closed at 21:35

SUMMARY OF PUBLIC STATEMENTS: 6 DECEMBER 2022

Ms Desiree Ashton (Advocacy and Campaigns Officer, Uttlesford Foodbank)

Ms Ashton, the Advocacy and Campaigns Officer of Uttlesford Foodbank, spoke on matters affecting the Trussell Trust Foodbanks based in Saffron Walden, Stansted and Great Dunmow. She said the main focus of her role was to identify the drivers which brought people to the foodbank and, by addressing these issues, there was real potential to reduce and even end the need for a foodbank in the district.

She highlighted the broad range of specific ward data and information they had available, which could further inform Councillors when representing and supporting residents in Uttlesford.

She said that against the backdrop of austerity, the pandemic and now a cost-of-living crisis, certain groups within the community have had scant opportunity to build any form of resilience. In the last three years, demand for the foodbank has doubled.

Whereas pre-pandemic, they were delivering approximately 600 parcels a year, by March 2022, this had risen to almost 1200. 1200 food parcels, over 3000 individuals, 45% of whom were children. On average, since April this year, the foodbank had seen a further 50% increase in demand for their service. The majority of clients presenting were doing so because of low-income, debt or benefit delays. She said national data suggested that 56% of households who came to foodbanks were on Universal Credit and 60% of clients were living with disability. The data was very much a lagging indicator of need, as those people presenting had often endured weeks, or even months, of extreme hardship. She said that within Uttlesford, there was a pattern to the wards with a high usage of the foodbank; Great Dunmow South and Barnston, Saffron Walden Shire and Castle, Takeley, Stansted South and Birchanger, Elsenham and Henham, Great Dunmow North. This correlated with the data around the uptake of Universal Credit and also with wards where people were applying for emergency grants through the Essex Essential Living Fund.

She said her purpose was to ask for help from Councillors and Council Officers to identify and promote the upstream support that would strengthen the local safety net for the most vulnerable in the community. To that end, she said that she had recently provided all 39 Councillors with an information pack which detailed key routes to help and had met with a number of Councillors to discuss the data in their ward.

She said Councillors could make a real difference to people who were barely surviving. Going forward, she hoped to continue to build on the conversations which had already started. She concluded by saying the Foodbank would warmly welcome any ward initiative funds that had not yet been allocated.

Ms Maria Pearson

Ms Pearson asked the following question to Councillor Evans, Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan

“I recently moved into Saffron Walden and have read and heard about the Neighbourhood Plan which you recently adopted, and the delays in moving forward with a Local Plan.

There seems to be a lot of confusion with the general public that this Neighbourhood plan will prevent any future development in the town, which of course it can't.

At the same time, it is an open secret that the District Council has been in secret negotiations with landowners, to bring forward 2000 houses and a ring road to the South and Southeast of Saffron Walden.

- Does the administration regret that the town voted on a Neighbourhood Plan, whilst being unaware that you were engaged in negotiations for this proposed development?
- In the interests of openness and transparency moving forward, could the administration please confirm whether they are or have been, in discussions with any other landowner in the District, to bring forward sites that were not submitted in the call for sites?”

Councillor Evans welcomed Ms Pearson to the District, and to Saffron Walden. He said, whilst it was clear that she was familiar with neighbourhood planning, it was not clear from her question as to whether she's read the Saffron Walden Neighbourhood Plan, but he recommended reading it.

In respect to her questions about the administration having discussions with other landowners in relation to the Local Plan, he confirmed that they had not taken part in any discussions; all discussions were at Officer level with landowners right across the district. Furthermore, there had been no secret discussions, and this would remain the case hereafter as well.

The Site Assessment was an essential part of making the Local Plan and this was currently being undertaken and updated by Officers. They will report their findings in due course to the Local Plan Leadership Group who will be able to review the sites and the quality of them before the draft Regulation 18 documents were published for consultation.

He thanked Ms Pearson for her interest and her questions.