

**COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 21 FEBRUARY 2023 at 7.00 pm**

Present: Councillor G Driscoll  
Councillors A Armstrong, G Bagnall, S Barker, M Caton, A Coote, C Criscione, D Eke, J Emanuel, J Evans, R Freeman, N Hargreaves, V Isham, R Jones, A Khan, G LeCount, P Lees, M Lemon, B Light, J Lodge, J Loughlin, T Loveday, S Luck, S Merifield, E Oliver, R Pavitt, L Pepper, N Reeve, G Sell, G Smith, M Sutton and M Tayler

Officers in attendance: P Holt (Chief Executive), N Coombe (Interim Assistant Director Governance and Legal and Deputy Monitoring Officer), J Etherington (Assistant Director of Finance), B Ferguson (Democratic Services Manager), and A Webb (Director - Finance and Corporate Services)

**C73 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

In the absence of Councillor Asker, Councillor Driscoll took the Chair.

Apologies for absence were received from Councillors Asker, Dean, Fairhurst, Gregory, Lavelle, de Vries and the Youth Council.

Councillor Barker declared a non-pecuniary interest in item 8 as a member of Essex County Council.

**C74 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meetings held on 6 December 2022 and 2 February 2023 were approved as correct records.

**C75 CHAIR'S ANNOUNCEMENTS**

In the absence of Councillor Asker, the Chair said councillors would shortly be receiving details about the Chairs Civic Dinner, which would be held on 31<sup>st</sup> March in the Officers Mess, Carver Barracks.

He said that Councillor Asker would be most grateful if those who were unable to attend would make a generous donation to the Chairs charity, the Youth Outreach Project and additional youth projects.

**C76 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

The Leader said she had written to Essex County Council to request improved communications in relation to matters that affected the district and town or parish councils, such as the closure of the Highways Rangers service.

Councillor Coote thanked the Leader and Chief Executive for the support they had provided to Ukrainian refugees in the district.

**C77 MATTERS REFERRED FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**

The Chair said that the matters referred by the Executive had been included as standalone items on the agenda (Items 7 and 8).

**C78 MATTERS RECEIVED ABOUT JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

No matters were received regarding joint arrangements or external organisations.

**C79 CORPORATE PLAN 2023-2027**

Councillor Reeve presented the Corporate Plan 2023-27. He said this would be the final Corporate Plan of the administration, which would be light-touch due to the elections in May. He said the administration had delivered its vision within the council's means and some excellent work had been done in regards to a wide range of matters, such as the Climate Change Strategy, Economic Recovery Delivery Plan and the Investment Portfolio. He thanked the Assistant Director Corporate Services and the Chief Executive for their assistance in producing the document and proposed approval of the Plan.

Councillor Evans seconded the proposal.

Councillor Khan said the Corporate Plan was shallow and asked for evidence that services had been delivered cost effectively. He said fewer council homes had been built than promised and highlighted that the annual accounts had still not been signed off.

Councillor Sell said there was a gap between what was promised and what was achieved by the administration; he said he regretted the aborted attempt to amend the Cabinet system.

In response, Councillors Lees and Coote said the administration had promised to review the Cabinet system and that was what they did. Councillor Coote said he had spent time trying to improve governance measures in consultation with opposition groups.

Councillor Criscione asked whether a Corporate Plan Delivery Plan would be made available before the election. He said caution should be applied to political

statements made on matters that could result in planning applications, such as the second runway at Stansted Airport

In response to a question from Councillor Caton regarding the Local Plan Leadership Group, Councillor Evans said the working group was not operating in secret as a cross-party workshop had been held in the previous week. Councillor Bagnall added that the working party sessions had been constructive and Councillor Caton had been present.

Councillor Reeve summarised the debate and confirmed that a Corporate Plan Delivery Plan would not be produced before the next election. He commended the report.

RESOLVED that the Corporate Plan 2023-2027 is adopted.

C80

## **MEDIUM TERM FINANCIAL STRATEGY AND 2023/24 BUDGET PROPOSALS**

Councillor Hargreaves presented the report regarding the Medium Term Financial Strategy (MTFS) and Budget proposals 2023/24. He commended the comprehensive documentation of “unvarnished detail” and thanked the Assistant Director of Finance for his work. He said that all current services would be maintained and no cuts were required this year, although he advised caution going forward into future years. He said there was uncertainty regarding the Fair Funding Review from central government, business rates, inflation and the war in Ukraine, and members could find best and worst case forecasts found in the MTFS papers.

He highlighted the following:

- Planning fees in the Council’s control would be increased to ensure the service was in line with other authorities. There had also been more PINS applications determined by the Council, leading to greater income than forecast in the previous year.
- A Council Tax rise of 3%, equating to a £5.00 rise for Band D properties, providing an additional £195,000 income per annum.
- The Cost of Living Support Fund had been established with this additional income, to assist those who did not qualify for other measures of support but were still struggling in the economic climate, as per discussions at a member workshop.
- To note the balanced budget, including the use of £1.8million from reserves for planned purposes and £2.7million from the MTFS reserves. He said if an asset was sold from the investment portfolio, the shortfall could be covered.
- Existing council rents had been increased by 7% in line with Government policy. A 11% rise would be applied when a property was to be re-let. These measures had been accepted by the Housing Board.
- In regards to the Treasury Management Strategy, he said the fair funding review had not been completed by Government and all councils were affected by the uncertainty this created.

He said the proposals had been through both Scrutiny Committee and Cabinet. He proposed approval of the recommendations set-out in the report.

Councillor Reeve seconded the proposal.

Councillor Khan spoke to his amendment. He said the Cost of Living Crisis had led to a cohort of people who were just about managing but who did not qualify for other measures of assistance. He asked members to support the amendment to assist families who were just about managing. He proposed the following:

“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 low to middle income families, this Council resolves to: 1. rebate the proposed 3% increase in the Council precept in 2023/24 financial year to households in Bands A-C to help the "just about managing households" in the district at an estimated cost of £44k and; 2. fund this cost from General Fund Reserves as the Council did with the similar targeted “cost of living” payments in the 2022/23 budget.”

Councillor Caton duly seconded.

Councillor Hargreaves spoke in response to the amendment and said that there was no evidence that this would support those that needed help. This was “too little, too late” and asked why this proposal was not raised during the member workshop.

Councillor Jones said the amendment would not support those that needed financial help. He said the Cost of Living Fund Policy would provide targeted support.

Councillor Lees said she had asked members to work together and a workshop was held to support residents with the cost of living crisis. She thanked the Liberal Democrats for their constructive input but asked why they had not raised their amendment proposal at this stage in the process.

Councillor Barker said it was disappointing that the administration would not consider proposals that had originated with an opposition group.

Councillor Caton said the amendment would provide additional support to residents on top of the Cost of Living Support Fund and said it should not be rejected for the sake of it. He said the administration did not provide opportunities to collaborate.

Councillor Khan said the amendment would work in tandem with the Cost of Living Support Fund. He urged members to support the amendment.

The Chair moved to a vote. A recorded vote was requested.

Councillor:	For, Against or Abstain
Armstrong	Against

Bagnall	Against
Barker	Abstain
Caton	For
Coote	Against
Criscione	Against
Driscoll	Abstain
Eke	Against
Emanuel	Against
Evans	Against
Freeman	Against
Hargreaves	Against
Isham	For
Jones	Against
Khan	For
LeCount	Against
Lees	Against
Lemon	Abstain
Light	For
Lodge	Against
Loughlin	For
Loveday	Abstain
Luck	Against
Merifield	Against
Oliver	Abstain
Pavitt	Against
Pepper	Against
Reeve	Against
Sell	For
Smith	Against
Sutton	Against
Tayler	Against

The amendment fell with 6 votes for, 21 against and 5 abstentions.

The Chair returned the debate to the substantive motion.

Councillor Lodge said local authorities across the country were suffering financially but the Council would be far worse off if it were not for the sound investments made by the administration.

Councillor Barker asked for clarification regarding the status of the MOOG investment and the figures relating to the Livingstone and Chorley investments.

Councillor LeCount said the Council's investment portfolio was impressive and thanked the Director of Finance and Corporate Services and his team for their hard-work.

Councillor Light spoke on Councillor Fairhurst's behalf and said the purpose of the budget process was to ensure public money was managed effectively. She said in principle the council had failed as important details on opportunity costs had been left out of the budget papers, such as the costs related to the Local

Plan and staff turnover. Furthermore, reserves were being used to balance the budget.

Councillor Coote said the Council was in a much better position than other local authorities. This budget would ensure that services would continue and he urged members to support it.

Councillor Isham said he had concerns that there was no mention of the fact that the Council's accounts had not been signed off by the auditor for the entirety of the administration. This had resulted in additional costs and the council should not have been put into this position due to a governance issue by the administration.

Councillor Caton said this was a pre-election "make believe" budget. He said officers had warned of an emergency budget in the summer.

The Chief Executive said there would most likely be an additional mid-year budget following the election, along with a new Corporate Plan, but this would not be an emergency or crisis budget.

Councillor Caton said that was a question of semantics. He said the Council should not pretend all was well with the finances and highlighted the impact of the Stansted Airport appeal on the council's reserves, as well as the use of reserves to balance the budget over the next eighteen months. He said borrowing on loans was higher than needed and that the investment assets were worth less now than when they were purchased. He said the public should not be bamboozled as the council was not in a good place financially.

Councillor Smith thanked officers for producing the budget papers. He said in previous years the MTFs had shown "gaps" in the finances, which had been mitigated by the council's investment portfolio, and further spending controls could have been put in place. He said the budget showed the council was not in a robust position and reserves would be depleted by 2025.

*The Chair sought Council's consent to extend the meeting by one hour.*

*Council gave its consent.*

Councillor Sell said the council was operating in a difficult financial environment but highlighted the issue of borrowing rates. He said borrowing costs would continue to rise and the council was paying the price for not fixing costs when interest rates were at a historical low.

Councillor Khan asked how many staff would be made redundant and which services would be reduced.

Councillor Bagnall said investment assets were accruing funds and said yields ranged from 4 to 7.5%. Overall, the investments had grown in capital value.

Councillor Jones said the budget was the most important decision of the year as it established the necessary funds to provide services to residents. He said the

finances had been managed soundly during this administration and this was a balanced budget. He urged members to support the proposals.

Councillor Luck said the budget had been debated at Scrutiny and Cabinet and he was disappointed with the level of political point scoring taking place.

Councillor Lees said there had not been an increase in staff vacancies under the administration. She also refuted the comments regarding the need for an emergency budget in the summer.

Councillor Reeve said the council was doing well compared to other local authorities in these difficult economic times. He thanked the officers for putting together the budget under challenging circumstances and said it was not a crisis budget; amendments to the budget mid-year would be entirely appropriate, given that an election was due in May. He said assets were purchased to generate revenue income and that was "locked-in". He seconded the proposals.

In response to questions asked, Councillor Hargreaves said the following:

- In regards to the MOOG asset, £16million had been spent from a commitment of £40million.
- In regards to the transposition on page 65, he said this was transposed between Waitrose and the veterinary hospital.
- It was common practice to use reserves to balance a budget.
- The administration had continued to invest in Chesterford Research Park, which showed the greatest return as it was the oldest asset.
- The Council had been prevented from fixing borrowing rates by Government when interest rates were historically low.
- He said staff redundancies in the next 5 years could not be ruled out but they were not a certainty, either. He said vacancies could be managed and there was some great staff working at the Council who would be able to retrain and undertake other roles.

Councillor Barker requested answers to her questions in writing.

The Chair requested a recorded vote on the budget proposals for the purposes of the Council Tax Resolution.

Councillor:	For, Against or Abstain
Armstrong	For
Bagnall	For
Barker	Against
Caton	Against
Coote	For
Criscione	Against
Driscoll	Abstain
Eke	For
Emanuel	For
Evans	For
Freeman	For
Hargreaves	For

Isham	Against
Jones	For
Khan	Against
LeCount	For
Lees	For
Lemon	Against
Light	Against
Lodge	For
Loughlin	Against
Loveday	Against
Luck	For
Merifield	For
Oliver	Against
Pavitt	Abstain
Pepper	For
Reeve	For
Sell	Against
Smith	Against
Sutton	For
Tayler	For

The vote was carried with 18 votes for, 12 against and 2 abstentions.

RESOLVED to:

- i. note and have regard to the Section 25 report when considering the budgets for 2023/24;
- ii. note the risk assessment relating to the robustness of estimates as set out at paragraph 9 of the Section 25 report;
- iii. set the working balances for 2023/24 at £1.782 million for the General Fund and £581,000 for the Housing Revenue Account
- iv. approve the Commercial Strategy 2023-28;
- v. note the key risks and assumptions set out at paragraph 29 of the Medium Term Financial Strategy 2023-2028;
- vi. approve the Medium Term Financial Strategy 2023- 2028;
- vii. approve the changes to investment counterparty limits set out at paragraphs 52-54 of the Treasury Management Strategy, to apply with immediate effect;
- viii. set the treasury management prudential indicators as set out at paragraphs 66-74 of the Treasury Management Strategy 2023/24;
- ix. approve the Treasury Management Strategy 2023/24
- x. set the capital prudential indicators as summarised at Annexe E2;
- xi. approve the Minimum Revenue Provision Statement 2023/24 as set out at Annexe E1;
- xii. approve the Capital Strategy 2023/24;
- xiii. approve the Capital Programme 2023/24 - 2027/28, including the planned application of capital financing set out at Annexe F4
- xiv. approve the increases in HRA rents as follows:-
  - . General needs and supported accommodation - a 7% increase for existing tenants in accordance with the cap set by government, with formula rents to increase by the maximum permitted amount of 11.1% (to be applied only when properties are relet).
  - . Temporary accommodation – rents to be increased in line with formula rents as in previous years (11.1%).



- . Garage rents – to be increased in line with September 2022 CPI (10.1%)
- xv. approve the increases in HRA support and service charges as set out at paragraphs 21-27 of the Housing Revenue Account budget report;
- xvi. note the Equality & Health Impact Assessment at Annexe G4;
- xvii. approve the Housing Revenue Account Budget 2023/24
- xviii. approve the Council Tax Requirement for 2023/24 of £6,694,027, equivalent to £171.61 for a band D property, representing a £5.00 increase on the 2022/23 amount;
- xix. approve placing £195,036 (the equivalent of the 2023/24 band D council tax increase) into a Cost of Living Support Fund to support households in hardship through additional council tax discounts, as proposed by officers;
- xx. approve the planned use of General Fund reserves during 2023/24 as set out at paragraph 47 of the General Fund budget report, including the use of £2.667 million from the Medium Term Financial Strategy reserve to balance the General Fund budget
- xxi. approve the reprofiling of spend on the Local Plan, and associated drawdown of reserves, as set out at paragraphs 29-34 of the General Fund budget report;
- xxii. approve the schedule of fees and charges for 2023/24 as set out at Annexe H5;
- xxiii. delegate authority to the Director of Finance and Corporate Services (Section 151 Officer) to set and/or amend fees and charges in relation to services which are operating in competition with commercial providers, for example trade waste;
- xxiv. note the Equality & Health Impact Assessment at Annexe H6
- xxv. approve the General Fund budget for 2023/24;
- xxvi. note the contents of the Budget Consultation Report 2023/24
- xxvii. approve the Council Tax Resolution 2023/24 report;
- xxviii. adopt the formal council tax resolution as set out at Annexe J1

The Chair adjourned the meeting at 9.15pm. The meeting was reconvened at 9.21pm.

The Chair welcomed Councillor Loveday to his first meeting of Council.

## C81 **PAY POLICY STATEMENT 2023/24**

Councillor Hargreaves presented the report regarding the Pay Policy Statement 2023/24. There was a requirement under the Localism Act 2011 for councils to publish an annual Pay Policy Statement, which set out the pay and remuneration of its employees for the forthcoming year. He proposed approval of the Pay Policy Statement and to delegate authority to officers to update the Statement when the necessary figures became available on 31 March 2023.

Councillor Luck seconded the proposal.

In response to a question from Councillor Smith regarding Bank Holiday pay, Councillor Hargreaves said this would be passed to officers to be looked at.

The proposal was approved unanimously.

RESOLVED to:

- I. Approve the Pay Policy Statement
- II. Give delegated authority to the Assistant Director – Business & Change Management to update the Pay Policy Statement and associated documents with pay multiple and average salary figures as at 31 March 2023 and with revised salary information once the 2023/24 national pay award is agreed

**C82 BUSINESS RATES RELIEFS POLICY 2023/24**

Councillor Hargreaves presented the report regarding Business Rates Relief Policy 2023/24. He said the Government was removing pandemic related grants but in effect this was the council enacting government policy. He proposed approval of the recommendation set-out in the report.

Councillor Sutton seconded the proposal.

Councillor Barker requested that the 20 largest business rates in the district were circulated with councillors, to give an idea of the scale of increase in May, along with a timetable for challenge.

The Chair moved to a vote. The proposal was approved unanimously.

RESOLVED to approve the updated Business Rates Relief Policy as set out in this report and Appendix A, using its discretionary powers under S47 of the Local Government Act 1988 (as amended).

**C83 COST OF LIVING SUPPORT FUND POLICY 2023/24**

Councillor Hargreaves presented the Cost of Living Support Fund Policy 2023/24. He said the Policy consisted of three elements; the Cost of Living support Fund, the Local Council Tax Support Scheme and further monies would be put in the Extreme Hardship Fund. He proposed approval of the recommendation set-out in the report.

Councillor Bagnall seconded the proposal.

Councillor Caton said he was pleased to see this on the agenda and the Liberal Democrat and Green Group would be supporting the proposals.

Councillor Lees said she was pleased with the collaboration that had led to this Policy. She said support would be easily accessible for those who were struggling in the current economic climate.

The proposal was approved unanimously.

RESOLVED:

- a. to approve the Uttlesford Cost of Living Support Fund Policy as set out in Appendix A
- b. to note the Government Council Tax Support Fund as set out in Appendix B
- c. to approve the Discretionary element of the Government Council Tax Support Fund as set out below and in Appendix B
  - i. to provide an additional maximum £25 top up payment for all households in receipt of Local Council Tax Support
  - ii. to add the remaining unallocated funds to The Exceptional Hardship Fund.

## C84 **APPOINTMENT OF A MONITORING OFFICER**

The Chair said that the meeting would need to move into Part 2 if specific details relating to the individual and the appointment of Monitoring Officer were to be discussed.

RESOLVED to exclude the public and press due to consideration of reports containing exempt information within the meaning of section 100I and paragraph 1, part 1, Schedule 12a of the Local Government Act 1972.

Councillor Lees presented the report which outlined interim arrangements for the management of the Council's Legal Services, including the appointment of the Council's Monitoring Officer. She proposed approval of the recommendation.

Councillor Evans duly seconded.

Members discussed the appointment and the following comments were made:

- The role of Monitoring Officer was key and the approach to this appointment had shown a disregard to good governance.
- The role did not require legal qualifications and the Deputy Monitoring Officer was suitably qualified and would support the Monitoring Officer.
- The appointment was interim only and a permanent Monitoring Officer would be appointed in due course.

The Chair took the proposal to a vote.

The vote was carried with 27 for, 2 against and 3 abstentions.

RESOLVED:

- i. That the council appoints Richard Auty as Monitoring Officer for the council and gives him delegated power to grant dispensations under s.33 Localism Act 2011 to district, parish and town councillors who have disclosable pecuniary interests to speak and/or vote on issues relating to such interests and to grant dispensations under the Code of

- Conduct to district, parish and town councillors with other pecuniary interests to speak and/or vote on issues relating to such interests.
- ii. That the council notes the powers delegated to the Assistant Director Governance and Legal, by the council's Scheme of Delegation, save those on elections, are be delegated to Norman Coombe, on an interim basis.

**C85 POLITICAL BALANCE AND COMMITTEE APPOINTMENTS POST BY-ELECTION ON 5 JANUARY 2023**

The Chair informed the meeting that Council was in public session.

The report regarding Political Balance and Committee Appointments following the by-election on 5 January 2023 was noted.

The Chair closed the meeting at 9.55pm.