

Uttlesford District Council Meeting 18 July 2023

Written Questions to Members of the Executive and Committee Chairs

Written responses to be published on 17 July 2023

1. By Councillor Barker to Councillor Lees – Leader of the Council:

“Please provide a comprehensive list of Cabinet Member portfolios to include all those items listed at the May Council meeting and in addition responsibility for:

Sport, Heritage, Culture ,Museum, Grants, Rural issues, Licensing, Waste & Recycling collection, Democratic Services, HR, staff welfare and any others missing from the May list.

Please also identify Lead officers for each area of responsibility.”

2. By Councillor Barker to Councillor Lees – Leader of the Council:

“The Cabinet report on Blueprint Uttlesford states that by 2028 there will be fewer staff employed at Uttlesford. To help all members understand the changes in staffing that will occur can the Leader please provide two lists:

The first is a list of the Statutory Functions that the Council must undertake
The second is the Non Statutory functions that we do currently undertake.”

3. By Councillor Criscione to Councillor Evans – Portfolio Holder for Planning:

“The Local Plan Scrutiny Committee and Local Plan Leadership Group have not met either individually or jointly in over a year. No evidence base documents have been published, and even more so, if a member of the public clicks through the website to "The New Local Plan" and subsequent page entitled "local plan evidence and background studies", they discover a Freudian slip in being directed to the 2019 evidence base.

What would the Cabinet Member respond in the contention that there is a democratic deficit in this current local plan-making process and, moreover, what democratic oversight has been, and continues to be in place on matters

concerning the delivery of a draft local plan and associated evidence base in the period after the draft Regulation 18 Plan was discarded last May?"

4. By Councillor Haynes to Councillor Evans – Portfolio Holder for Planning:

"In view of the fact that so little information has filtered through to the public domain in relation to the Local Plan I would welcome a statement as to what has been done over the course of the past year.

We are told that the delay in getting to the Reg. 18 draft is due to deficiencies in the evidence base. What steps have been taken to rectify this and specifically, have the omissions in the Landscape and Heritage studies now been addressed (the lack of identification and analysis of key views in the former and the absence of any commentary on the setting of heritage assets in the latter)?"

5. By Councillor Lemon to Councillor Sutton – Portfolio Holder for Communities and Local Partnerships:

"Could I please ask that Councillor Sutton provide answers to the following questions on the Youth Council:

1) When did the Youth Council last meet?

And:

2) How many Youth Members do we currently have?"

6. By Councillor Moran to Councillor Hargreaves – Portfolio Holder for Finance and the Economy

"I am sure you agree with me that the provision of top quality sports and leisure facilities for our residents is increasingly important in the fight against obesity and to support good mental and physical health. Can you please give us an update in regards to the district's leisure facilities, as follows:

1. Can you tell us what your onsite visits have revealed regarding the partial closure of Lord Butler leisure centre and assure us that this council has had in place a robust inspection regime of all council provided sports and health facilities in Uttlesford?
2. Can you please update us on any discussions you and your officers have had with the new operators of our leisure centres, Parkwood, in particular looking forward to the planned internal audit of all PFI contracts that is to take place in this council year?"

7. By Councillor Pavitt to Councillor Evans – Portfolio Holder for Planning:

With reference to para 3.1 of Appendix 1

“Please advise what action has been taken to assess the extent to which the council may unwittingly or otherwise compromise its legal responsibilities, namely to ensure that it does not undertake nor authorise projects which jeopardise (a), (b), (c) and (d) as contained in the Environment Agency’s reply to UDC (dated 26-10-2020), which stated:

Legal obligations and Article 4.7 Regulation 33 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 place a duty on each public body, including Local Authorities, to have regard to River Basin Management Plans (RBMPs) when exercising their functions. This means they must ensure they neither undertake, nor authorise, a project which may jeopardise

- a) The current status of a WFD element or cause its deterioration*
- b) The attainment of good status*
- c) Pollution reduction measures*
- d) Standards and objectives for protected areas”*

8. By Councillor Pavitt to Councillor Evans – Portfolio Holder for Planning:

With reference to para 3.5 of Appendix 1

“What further information has been received from the Greater Cambridge Planning Service on their Water Management Studies following the meeting of officers on 27th April 2021 and what implications are there for Uttlesford in the EA’s formal objection on 26th June 2023 to new housing in South Cambs on the grounds of water concerns and river damage which pose - quote: “a real risk to chalk streams, river, and wetland habitats.”

9. By Councillor Gregory to Councillor Evans – Portfolio Holder for Planning:

With reference to para 3.6 of Appendix 1

“What information has been received from the council’s water cycle study consultants in respect of the water sustainability and river pollution concerns summarised by JBA Consultants in their presentation in October 2021?”

10. By Councillor Gregory to Councillor Evans – Portfolio Holder for Planning:

With reference to para 4.1 of Appendix 1

“How has the Environment Agency been - to quote: “actively considering... the matters raised in the adopted motion” and is the cabinet member for Planning satisfied that both UDC and the EA have addressed these “as a matter of urgency” bearing in mind the motion was passed four years ago?

11. By Councillor Criscione to Councillor Evans – Portfolio Holder for Planning:

With reference to para 4.2 of Appendix 1

“Is the cabinet member for Planning satisfied that suitably robust “measures to protect and improve water supply, river flow and environmental conditions” will come forward in what little time remains before Reg 18 consultation of the Local Plan and what “further evidence and expert advice” has been obtained to this end?”

Appendix 1 - Questions Regarding Water Sustainability & River Damage as submitted by Councillors Pavitt, Gregory and Criscione (Questions 7 – 11)

Background

Three years ago (July 2020) council unanimously passed a motion regarding the effect on Uttlesford’s rivers of over-abstraction of ground water. The motion required specific actions.

A year later (20/7/21), Cllr Pavitt asked for a report to full council of the progress made in respect of those actions. In response, the Asst. Director of Planning provided a list of actions and a summary of progress (attached below). Using that report as a benchmark and its paragraph numbering, can the Member for Planning please respond to Questions 7 -11:

Provided by Assistant Director – Planning, 11 May 2021

**BRIEFING NOTE FOR THE LEADER
PROGRESS ON ADDRESSING ISSUES IN THE JULY 2020 WATERS AND RIVERS MOTION**

- 1. Purpose of this Note**
- 1.1. To provide an update on Water related work that has taken place following the Council adopting the ‘Waters and Rivers’ Motion in 2020.
- 2. Background**
- 2.1. On 21 July 2020 the Council resolved on Waters and Rivers:
 - 1) To act to raise awareness of the threat to its rivers and to:

- (a) Call on those responsible for water supply and environmental protection to adopt immediate measures to avoid the loss of important river habitats.
 - (b) Lobby central Government to gain better recognition of both Uttlesford's water imperatives and also the need to protect its Chalk streams.
- 2) To make water supply and river health a material consideration of sustainability when assessing major applications for development within the district.
 - 3) When developing the district Local Plan to give full and detailed consideration to:
 - (a) The sustainable provision of water throughout the district;
 - and (b) Protection of the Chalk stream habitats of Uttlesford.
 - 4) At the earliest opportunity to introduce stringent policies for new buildings in respect of water conservation and recycling.
 - 5) To call on the Environment Agency to:
 - (a) Immediately submit a plan for restoring a proper and consistent flow to the rivers of Uttlesford;
 - and (b) propose a programme for monitoring water quality and restoring the biological health of the rivers to at least "good" as defined in the Water Framework Directive;
 - and (c) Ensure that the alkalinity of the Chalk streams within Uttlesford is and continues to be sufficient to safeguard the natural ecology associated with a Chalk stream environment.
- 2.2. Councillor Pavitt has indicated he will ask a question at Full Council on 20 July 2021 about what progress has been made as a result of the adopted Motion:
- * 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).

3. Actions to Date

- 3.1. Following the adoption of the Motion, the District Council wrote to the Environment Agency (Appendix 1) and a reply was received on 26 October 20 (Appendix 2). 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).

- 3.2. The River Basin Management Plans are currently under review and a consultation took place last year with revised Plans due to go out for consultation before final publication this year.
- 3.3. 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 organisation and a regional strategy is in preparation for consultation before the end of 2021.
- 3.4. 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. A copy of notes of the meeting are attached in Appendix 3.
- 3.5. On 27 April 2021 officers of the District Council met officers from Great Cambridge Planning Service for an update on their work on Water Management Studies (as well as decarbonising the energy grid) and agreed further collaboration. A copy of notes of that meeting is attached as Appendix 4.
- 3.6. 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 recognises that the water cycle issues, and related environmental issues, will be an integral part of the emerging local plan.
- 3.7. 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. Consultants are being appointed to do this work with a target date for a report back to members in November 2021.
- 3.8. 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.

4. Summary of Progress

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

- 4.2. 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 do that. The Council is currently obtaining further evidence and expert advice to ensure that this is done.

Gordon Glenday

Assistant Director – Planning

11 May 2021