

Uttlesford District Council Meeting

23 April 2024

Written Questions to Members of the Executive and Committee Chairs

Written responses published on 22 April 2024

1. By Councillor Gregory to Councillor Coote – Portfolio Holder for Housing and Equalities:

“To ask Cllr Coote what progress has been made on remediation of the problems discovered at Reynolds Ct, the cost to date and the extent to which those costs have been recovered?”

Response from Councillor Coote:

“To date, UDC has borne costs due to contractor deficiencies, resulting in additional expenses for ongoing works.

Remediation costs currently total circa £115K and the costs of having to instigate a waking watch was circa £64K

Further expenses are expected for the completion of the heating system overhaul, with discussions ongoing with Lovells to finalise remaining tasks.

Progress on heating and hot water system works stands at 90% completion, with fire remedial works finished and snagging underway.

Pending fire stopping beading works are acknowledged by Lovells and UDC will incur no further cost for their remediation.

The Projects Compliance Manager, Mark Dyer is overseeing outstanding works and provides regular updates to The new Interim Director of Property Services - Brian Burton.

The new Interim Director of Property Services and Interim Strategic Director of Housing, Health, and Communities are at present collaborating with UDC’s legal team to gather evidence and explore legal options to recoup any costs that have been borne out of contractor inefficiencies.”

2. By Councillor Gregory to Councillor Coote – Portfolio Holder for Housing and Equalities:

"At Scrutiny in late 2022, Mr Hermitage explained that criminal sanctions were possibly available in this matter- what further investigations into pursuing these have been undertaken please given the apparent negligence and disputed £68000?"

Response from Councillor Coote:

"From a Building Regulations perspective there are two routes for enforcement action. (1) Prosecution through the Magistrates Court, which must commence within two years of work being done. The building was completed in 2018 and there is no evidence of further work being done with respect to the areas of the building in question a later date. Prosecution was thus not open to us under Building Regulations. (2) A Local authority enforcement notice, which is also timebound and would have to be taken against the building owner rather than the builder, which would be the council itself. The purpose of Building Regulation enforcement is corrective, and as the works have been corrected, we have not sought to pursue further action under Building Regulations legislation. Our route to resolving these issues as addressed in answer to the previous question therefore remains the most appropriate approach."

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

"The outcome of the Grenfell Fire Enquiry has resulted in Registered Building Inspectors being required to improve their levels of competency and it was intended that Local Authorities ensure that their staff be accredited by 6th April 2024. However, this has now been extended to 6th July 2024 but this extension is only applicable to building control professionals who have registered as Class 1 RBI by the 6th April. Failure to achieve this status within the staff cohort would result in Local Authorities being unable to offer Building Control Services.

Would the relevant Portfolio Holder please confirm that Uttlesford Building Control Staff will have the necessary accreditation to ensure that there is no break in the Building Control Service Offer?"

Response from Councillor Evans:

"Thank you for raising this important issue. Our small Building Control Team inspects around 80% of new developments in the district every year and ensures that they meet building safety standards. The team is highly regarded by local builders and service

users. I am pleased to report that three of our Officers registered as 'Class 1 Registered Building Inspectors' and recently sat the relevant exam. All three have passed (results issued in April) and are now Class 2 Inspectors. This means they can continue to inspect a range of building projects. A fourth officer has registered as Class 1 and has sat the higher 'Class 3' assessment to inspect higher risk buildings. We await the outcome. A fifth member of the team has registered and can continue to work under the supervision of other officers. The team has achieved sufficient accreditation ahead of the July deadline such that it will continue to offer the same high level of service it has done up to now."

4. By Councillor Gooding to Councillor Hargreaves – Portfolio Holder for Finance and the Economy:

"It is noted that an additional person is being recruited to sit on the Investment Board.

Would the Portfolio Holder please explain what remit this post would hold and what benefit would be achieved given the assumed cessation of further Commercial Investment by UDC at this time?"

Response from Councillor Hargreaves:

"The purpose and remit of independent persons on the Investment Board is on the UDC website [Investment Board Independent Member - Uttlesford District Council](#). Cllr Gooding's attention is drawn to para 58 b) of the Commercial Strategy agreed by the Investment Board of which he is a member and that he will be aware of the effective contribution of the current Independent Person."

5. By Councillor Sell to Councillor Reeve – Portfolio Holder for the Environment and Climate Change:

"Is the portfolio holder satisfied with the current resilience of this service area?"

Response from Councillor Reeve:

"Additional resources to bolster our frontline domestic recycling and waste services have recently been agreed and the team is in the process of recruiting to any vacancies within the service. It is understandable that we are all very alert to any disruption, after the situation in January and February. Even when fully staffed there will always be operational difficulties such are the realities of operating services that rely on large

numbers of people and vehicles. Service levels will be monitored on a weekly basis over the coming months to ensure that we have the right balance between service resilience and efficiency.”

6. By Councillor Sell to Councillor Evans – Portfolio Holder for Planning:

“Can the portfolio holder give an assurance that in future meetings of the local plan working group will have written reports by officers as opposed to reliance on oral reports?”

Response from Councillor Evans:

“We are at the halfway point in the Regulation 19 phase of Local Plan production, which runs from January to July 2024. Throughout January and February Officers have sorted, reviewed, published, and began preparing responses to the 5,000 or so individual comments made in response to the draft plan. Many of the responses warrant the updating of evidence, the further consideration of certain matters, and then the drafting of proposed amendments to the plan. This work has been taking place throughout March and much of it is essentially a period of ‘thinking’ and ‘testing’, hence the lack of written material at the 10 April Local Plan Panel (LPP) meeting. You will note, that since February, the LPP has received reports on our emerging ‘Affordable Housing Policy’, ‘Regulation 18 Consultation Responses’, and ‘Housing in Larger Villages’ strategy. I expect that the LPP will receive further written reports on key matters between now and July.”

7. By Councillor Lemon to Councillor Reeve – Portfolio Holder for the Environment and Climate Change:

“On Friday 5th. April there were hardly any refuse bins collected in Hatfield Heath or White Roding. A disaster in such windy weather and refuse being blown about the village. I phoned on Monday 8th April to UDC (The phone call took 40 mins to be answered!) I was informed that the bins would be collected on Tuesday 9th- This did not happen no bins were collected so late on that day I rang to see when the refuse from the whole area would be collected-the residents in my area are getting very frustrated with the situation.(Phone call 15 mins this time) Sadly they could not tell me when there would be a collection of our bins. It is now the 10th April and our bins have not been collected!

Why are our bins not being collected and why does it take so long to speak to an officer in the environmental department?”

Response from Councillor Reeve:

“It is understandable that we are all very alert to any disruption, after the situation in January and February. I have recently written to all members setting out in detail the reasons for the relatively small level of disruption in recent weeks. I am concerned that given we collect from wheeled bins and have a strict no extra waste policy why there would be refuse blowing about the streets, however we have deployed our street cleansing team to inspect in that area and rectify any problems they find. In terms of call answering times.... If calling the main 01799 810810 telephone number calls will be dealt with by our Customer Services team. I would like to take this opportunity to remind all members that there is a specific email inbox for specific casework queries in this case memberenvironmentcasework@uttlesford.gov.uk. This system is specifically designed to enable Members to reach officers at a service level to assist in providing accurate and timely information.”

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

“There are signs that the preparation of the Local Plan is not being conducted in an open and honest manner. Will the Portfolio holder for Planning give Council an explanation of concerns expressed at the LP meeting on April 10th about the absence of written reports and assure Council with evidence that progress in completing a credible Local Plan is on target and is sound?”

Response from Councillor Evans:

“I refer Cllr Dean to my response to Cllr Sell with regards to written material.

I strongly reject any notion that the local plan process is being carried out dishonestly. Indeed, I have been very honest about the general direction the plan is heading and the challenging situation we find ourselves in as a district without a plan since 2005.

Not all aspects of plan-making can be played out in public throughout the process. At the 21 March meeting of the LPP it was noted that relevant regulations set out the need for public authorities to have ‘space to think in private’. Releasing draft documents, unfinished strategies, and ideas that have not been tested, poses greater risk to the local plan and does not best serve the interests of residents. Planning regulations require the council to make documents public for 6 weeks at Regulation 18 stage and for 6 weeks at Regulation 19 stage. There is no legal requirement to release anything at any other time. However, the council has committed to holding at least one public LPP meeting a month throughout the Regulation 19 period in order to review key elements of the plan, and is doing so.

I refer Cllr Dean to the 16 April meeting of Scrutiny Committee, which considered the progress of the local plan programme. I refer him also to the recent review of the

programme carried out by the government's Planning Advisory Service (PAS), which is included in the Scrutiny papers. The PAS report is positive. Whether or not the final plan is found 'sound' is ultimately a decision for the Planning Inspectorate. The current strategy is regularly reviewed by leading counsel and is more robust than the strategies contained within the plans drafted between 2010-2014 and 2015-2019 which were found to be 'unsound'."

9. By Councillor Silcock to Councillor Coote – Portfolio Holder for Housing and Equalities:

"How is the council ensuring the robustness of its monitoring processes for the current repair service provider, Uttlesford Norse while actively seeking an alternative provider?"

Response from Councillor Coote:

"Thank you for your question regarding the robustness of our monitoring processes for the current repair service provider, UNSL, and our efforts to seek an alternative provider.

The council has taken several steps to ensure that we maintain a strong oversight and accountability framework during this transition period.

Firstly, we have employed an interim Director of Property Services who brings extensive experience in managing maintenance contractors, including previous experience working with Norse. This interim director has a proven track record in overseeing robust monitoring processes and ensuring high-quality service delivery.

The interim Director of Property Services is embedded within the operations, working from the UNSL depot on a weekly basis. This hands-on approach allows for direct observation and real-time monitoring of the service delivery. Additionally, weekly operations meetings are held to discuss any challenges or issues that may arise, ensuring prompt resolution and continuous improvement, this includes weekly director meetings between the Director of Property Services and the Operations Director of UNSL. These meetings provide an opportunity for regular communication, addressing any concerns, and ensuring alignment between the council and the service provider.

To maintain transparency and accountability, the property service team conduct monthly Key Performance Indicator (KPI) meetings focused specifically on repairs and planned delivery. These meetings allow for a comprehensive review of the service provider's performance against agreed-upon targets and benchmarks.

Moreover, a weekly compliance dashboard has been created to monitor and track various compliance metrics, ensuring that the service provider adheres to all relevant

regulations and standards. This proactive approach helps identify and address potential compliance issues before they escalate.

Complementing the compliance dashboard, monthly compliance management meetings are held to review the service provider's compliance performance and implement any necessary corrective actions or improvements.

Through these robust monitoring processes, we aim to maintain a high level of accountability and ensure that the current repair service provider, UNSL, continues to deliver this transition period. Additionally, these measures will inform our decision-making process as we actively seek an alternative provider that can meet our rigorous standards and deliver a quality service to our residents.”