

**SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on MONDAY, 22 JULY
2024 at 7.00 pm**

Present: Councillor N Gregory (Chair)
Councillors M Ahmed, B Donald, R Gooding, R Haynes, S Luck
and J Moran

Officers in attendance: R Auty (Director of Corporate Services), B Burton (Interim
Director of Property), C Edwards (Democratic Services Officer),
D Hermitage (Strategic Director of Planning) and P Holt (Chief
Executive).

Also in attendance: Councillor A Coote (Portfolio Holder for Housing and Equalities),
J Evans (Portfolio Holder for Planning), P Lees (Leader of the
Council) and N Reeve (Portfolio Holder for Environment and
Climate Change).

Public Speaker: Dr G Mott

SC11 PUBLIC SPEAKING

Dr Graham Mott addressed the meeting as Chair of Elsenham Parish Council; a copy of his statement has been appended to the minutes.

The Portfolio Holder for Planning thanked Dr Mott for his statement and said that a meeting was being arranged to discuss the matter further with Dr Mott representing Elsenham Parish Council and the Strategic Director of Planning.

SC12 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Bagnall, Reeve and Sell.

There were no declarations of interest.

The Chair asked the Chief Executive to outline the review that was being undertaken in relation to the Election issues.

The Chief Executive said that the Leader had commissioned an independent review with an external expert and there would be a report produced in a matter of weeks which would go to the appropriate Council Committee and would be published in full.

The Leader said the report would go to Audit and Standards.

SC13 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 4th June 2024 were approved as an accurate record.

The Chair asked the Portfolio Holder for Housing and Equalities whether a written response had been provided to the Public Speaker from the last meeting, Mr Deane-Bowers, as requested and set out in minute SC1, second to last paragraph.

The Portfolio Holder for Housing and Equalities said that the written reply was in progress but it was an in-depth piece of work and the Officers were obeying all relevant legislation. He said that it was a difficult and challenging report and he took the blame for the delay as he had sent questions back to the Officers on a number of occasions. He said that an email had been sent to Mr Deane-Bowers to explain the delay.

The Chair said that even though the Portfolio Holder for Housing and Equalities had reservations it was a matter of public and Member interest and he asked that once the correspondence was produced it was circulated to all Members.

The Portfolio Holder for Housing and Equalities apologised to the Scrutiny Committee for the delay.

SC14 **CABINET FORWARD PLAN**

The Cabinet forward plan was noted.

The Chief Executive said that there were a couple of emerging issues that might need approval earlier than September and therefore either an extraordinary meeting or the use of urgent executive powers would be used if necessary, they were possibly key decisions. He hoped that this would not be needed.

SC15 **SCRUTINY WORK PROGRAMME**

The Scrutiny Work Programme was noted.

The following comments were made:-

A request that the Local Plan items on the Scrutiny Work Programme had more detail added. The Chair said that the December Local Plan item would be an update on the progress of Regulation 19 and in March the procedural detail including who the Inspectors would be and the timetable for the examination in public.

The Portfolio Holder for Housing and Equalities said that the mould issues would be reported on in the future, to one of the Committee meetings.

The Task and Finish group resilience work and the Local Council Tax Support Scheme would also be added to the Work Programme in due course when dates were fixed.

SC16 **LOCAL PLAN: PROJECT PLAN (REGULATION 19) UPDATE**

The Portfolio Holder for Planning suggested that Members read the 17 page report that was in the documentation for Cabinet on the 18th July.

He said that Counsel had been instructed and they had been providing guidance on procedural matters throughout the process.

The Strategic Director of Planning introduced the item, he made the following points:-

- Regulation 19 documents had been published for the Local Plan Panel on 5th July.
- Slippage to the timetable had been due to the pre-election period.
- Some of the work on final evidence and supporting documents were slightly delayed.
- The Duty to Cooperate work was not yet finalised but would be ready to be published by 8th August.
- The risk register had been updated, an item had been added which related to political uncertainty at the national level and risk 2b had been removed which was insurmountable issues raised at Regulation 18 but there had not been any.

The following comments were made by the Strategic Director of Planning and the Portfolio Holder for Planning in response to questions from Members:-

- A link to the Regulation 18 responses would be sent to Councillor Haynes.
- 17 statements of co-operation had been signed by major stakeholders. A small number of agreements had not been completed and signed, they included – Affinity Water, Essex County Council, Hertfordshire County Council, Manchester Airport Group, National Highways, National Trust and National Rail.
- If all statements of co-operation were not completed it would make the Examination in Public (EIP) a longer process, however it was not uncommon for there to be areas of disagreement. The Strategic Director of Planning was confident that the majority would be signed in the next couple of weeks.
- A list of those not signed would be circulated to Members before the publication of the Duty to Cooperate (DtC).
- The Duty to Cooperate was required to demonstrate co-operation but not necessarily agreement, any matters not resolved would be debated at EIP.

- Officers were focused on resolving as many outstanding statements as possible and a further four had been signed after publication of the agenda.
- There were no details from the new Government yet on how they would proceed with Planning issues, a letter from the Secretary of State was expected.
- The Local Plan process had followed legal requirements for public consultation and the Leader had also committed to a public meeting every month.
- The Portfolio Holder for Planning said that it was not fair to say that the process had been secretive. There had been 5 public meetings and 4 workshops, the written representatives had all been looked at and changes made to the Regulation 18 document accordingly. He said that the Local Plan would never please everyone, but the process had been as objective as possible using the planning balance.
- The Local Plan was on target to meet the deadlines set out by the previous government if the current timetable was followed. The new Government could make changes, however, the three main items in the Labour Manifesto, Climate Change, Meeting the housing needs for the district in full and Social Housing were all included in the Plan.
- There were approximately 5,000 responses at the Regulation 18 stage.
- The Portfolio Holder for Planning said that they would be producing a guide for the community if they wanted to further comment on the Local Plan at Regulation 19 stage. The representations would need to be in writing so that they were considered by the Inspector.
- The new Government had set higher targets for housing but it would take some time for any new plan and white paper to be adopted. It was therefore likely that Uttlesford's Local Plan, if approved, would be in place.
- There was legislation that could be used in an emergency to withdraw the plan if the Council considered that it would need to be changed dramatically because of Government changes.
- The Local Plan for Uttlesford considered housing needs for the future, including population growth predicted at just under 15%, so any new legislation for more housing should be covered. The plan also took into account the tenure and size of housing going forward to better fit the needs of the population, instead of the speculative applications currently that did not.
- The guide would be available in August, there would be two meetings for Parish and Town Councils one in Saffron Walden and one in Little Canfield as well as extra meetings for those areas with principal development.
- After the 30th August there would be no scope for further amendments to the Local Plan.
- The Regulation 19 consultation responses go directly to the Inspector, although a document could be drawn up by the Council with a list of recommended changes if appropriate.
- The rag ratings on page 26 erred on the side of caution.

The Chief Executive said that the Regulation 19 consultation would feel like a different process, he said it related to the soundness of the plan and invited

technical consultations. He said it was likely that there would be less activity and engagement at this stage.

The Chair said that there had been a broad discussion which had tested the robustness of the timetable.

The meeting unanimously agreed to state to Full Council that they were content with the process and timetable within the report.

SC17 **CORPORATE PLAN UPDATE**

The Leader presented the report, she said that the Corporate Plan had been streamlined, focused on key priorities and set out measurable targets for delivery.

She said that there were four key areas within the corporate plan:

Protecting & Enhancing Our Environment
Encouraging Economic Growth
Building Strong Communities
Putting Residents First

She said that the report provided an update on each priority area.

She said that other Portfolio Holders would be bringing their own strategies and plans under the Corporate Plan and these would come separately to the Scrutiny Committee.

There were two amber ratings which were under review but all other targets were where they should be.

Councillor Gregory said he approved of the format of the report which had clear, deliverable actions and milestones.

In response to questions from Members the Leader made the following points:-

- Essex County Council were in charge of buses and they would be asked how they could be improved.
- In planning terms affordable housing was not affordable for many residents. The Council was producing one of the most progressive plans for local people to be able to live in the district. The policy stated that 35% of housing was affordable but 70% of that would be social rent.
- The sustainability study at Hadstock would be of interest and they would also be looking at plans to bring social housing to the smaller villages.
- More grants for social housing decarbonization would be investigated, however, these were match funded and so there would need to be funding in place before this could be taken further.
- The sale of the fifty percent share of Chesterford Research Park was going to plan and there had been interest shown.

The Portfolio Holder for Environment and Climate Change in response to a question about the Carbon Management Framework said that it would be completed by the end of the year and the expertise would come from consulting with the very best available skills to make sure that it was completed correctly.

SC18 **CONTRACT AWARD FOR DECARBONISATION WORKS - PHASE 1**

The Interim Director of Property presented the report, he said that this contract award related to phase one only. They were looking to award the contract to Equans who were a specialist in decarbonisation works.

Uttlesford District Council had been awarded a grant from the Social Housing Decarbonisation Fund (SHDF).

Phase Two would be delivered by the new Repairs and Maintenance Contractor when they were in place.

In response to Members questions the following comments were made by the Interim Director of Property:-

- The framework would include on going maintenance and warranties, these would be covered by the Contractor who would manage the warranties and this would be included in the service schedule.
- The £28k that would be spent on each property to retrofit and bring in energy efficient measures, was in line with industry norms. It would take a long time to pay off that investment but it was currently the best way to proceed.
- The funding was timebound and there was not enough time to build an in-house team for a short period of time, therefore Savills was being used. Ideally there would be in-house management of the works being carried out.
- The expected environmental benefits would be gauged in the first instance by understanding the current base line and consumption, as well as thermal imaging of the property before and after to see what benefits were being gained. For future understanding there would be reliance on usage figures and speaking to residents to understand the benefit that they were receiving.

The Chair said that there were five recommendations:-

- For Members to review and provide feedback on the award of the Phase 1 SHDF decarbonisation contract to Equans, recognising their expertise in delivering large-scale retrofit projects.
- Members to note that Phase 2 will be integrated into the scope of work for the new R&M contractor, ensuring continuity and efficiency in our overall housing improvement strategy.
- Members to acknowledge the strategic use of the Fusion 21 Decarbonisation Framework as the most appropriate procurement route given the SHDF timelines and project requirements.
- Members to note that Equans, ranked second on the framework, was selected after Vinci (ranked first) voluntarily withdrew from consideration.

- Members to note the use of the ACA Standard Form of Contract for Project Partnering (PPC 2000, amended 2013) as the contractual basis for this project.

The meeting agreed to endorse the recommendations.

The meeting ended at 8:30pm