

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

Present: Councillor N Gregory (Chair)  
Councillors C Criscione, B Donald, R Gooding, R Haynes,  
S Luck, J Moran, A Reeve and G Sell.

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), P Holt (Chief  
Executive) and S Russell (Strategic Director of Housing  
Environment and Communities).

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

Public speaker: Mr B Deane-Bowers

**SC26 ELECTION OF A CHAIR**

The Director of Corporate Services asked for nominations for the Chair in the temporary absence of the Chair of Scrutiny, Councillor Gregory and the absence of the Vice-Chair, Councillor Bagnall.

Councillor Criscione was nominated by Councillor Donald and seconded by Councillor Luck and was duly confirmed as Chair.

**SC27 PUBLIC SPEAKING**

Mr Ben Deane-Bowers gave a statement to the meeting, a summary of his comments have been appended to the minutes.

**SC28 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Bagnall. Apologies for lateness were received from Councillors Gooding and Gregory.

Councillor Criscione declared an interest in item 8, the Local Plan Update and would recuse himself for this item.

## SC29 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 24<sup>th</sup> September 2024 were approved as an accurate record.

Councillor Haynes said that the SOS hubs were not being advertised extensively. The Strategic Director of Housing Environment and Communities said that the SOS hubs were being advertised in the locations where they were being held but she would look into whether this could be improved and report back at a later meeting.

## SC30 **CABINET FORWARD PLAN**

The Cabinet forward plan was noted.

Councillor Sell raised the Hatfield Forest Governance report and the importance of the Forest in the district. He suggested that it was added as an item on the agenda in future and the Committee agreed. The Chief Executive said that there was a report written about the forest and it could very easily be added to a future agenda.

Councillor Donald gave a brief update on the recent Task and Finish Group, she said that the action plan had been looked at in detail and the group had been reassured that the plan was dynamic and would continue to be updated. She said a report would come to the next meeting of the Committee.

## SC31 **SCRUTINY WORK PROGRAMME**

The Scrutiny Work Programme was noted.

The following comments were made:-

- In response to a question from Councillor Sell, the Director of Corporate Services said that the North Essex Parking Partnership would be added to the work programme in the future.
- In response to questions from Councillor A Reeve, the Director of Business, Performance and People said that phase two of the car parking review would focus on airport fly parking with a consultation in Takeley followed by phase three which would look at parking in Saffron Walden as a whole early next year.

*Councillor Gooding joined the meeting at 7.20pm*

## SC32 **ECONOMIC DEVELOPMENT UPDATE**

The Leader of the Council presented the report.

In response to questions from Members, the Leader of the Council and the Director of Business, Performance and People made the following comments:-

- The UK Shared Prosperity Fund (SPF) and the Rural England Prosperity Fund (REPF) had strict criteria set by the Government. The bids were scrutinised in detail, the work was then carried out first and proof of completion was given before any invoices were paid, this was also match funded.
- All the detail of these funds was available on the website, and they would also be added to the agenda papers in the future.
- Although the beneficiaries of the schemes could be promoted, the Council was just the administrator and therefore was not providing the funds.
- Although there were monies remaining the majority of this was already committed, however there was funding in the REPF that had been allocated but did not go ahead and was not delivered in the timescale. This provided a new funding window for capital projects for organisations and local businesses.
- The Government had announced that a further £900m would be allocated to the shared prosperity fund but detail and guidance had not yet been provided. There would again be a panel of external organisations set up in order that money could be targeted to where it was most needed and the Panel would also evaluate the bids.

## SC33 CORPORATE PLAN PROGRESS REPORT

The Leader of the Council presented the update report. She said that the plan was progressing well with 11 green and 2 amber activities. She said that the amber items related to:-

- The asset management strategy had been slightly delayed.
- The sale of Chesterford Research Park was not a certainty and bids had not been finalised.

The Leader highlighted:-

- A third round of the zero carbon community fund with a £125k budget.
- The Essex Waste Strategy which had been widely approved and implementation plans would be worked on with renewed focus on behavioural change.
- Economic Development.
- Local Plan on track for submission on the 20th December.

In response to questions from Members the following comments were made:

- The funding to replace the boilers in the London Road Offices would rely on the successful grant application, there was no alternative budget for these works.
- There was a meeting between the Independent Tenant Engagement Consultant and the Tenant Panel, with no Officers present to enable open discussion. They had agreed to set up a formal Tenant Scrutiny Panel and embraced the digital approach.
- The concern was noted that there had not been a Museum Management Working Group meeting since March 2024. There would be a meeting organised early in the New Year. There was no Blueprint report yet regarding the Museum.

- It was noted that the castle remained closed and was an asset that should be utilised.
- Carbon Literacy Training for staff involved an 8 hour home session tailored to the local situation.
- There was a wider Essex led initiative to bid for lottery funding for £1.5 million to extend this training to Essex residents.
- It was agreed that there could be an online area where Member's training resources could be posted.
- There was a focus on both the climate emergency and the biodiversity emergency which were both important and were included in the Local Plan. A group had been set up called Sustainable Uttlesford which aimed to bring stakeholders together to exchange knowledge and best practices.

*Councillor Gregory joined the meeting at 7.50pm*

- Some Biodiversity guidelines would be helpful for Parishes and Town Councils to understand best practice, for example grass cutting.
- There was an active policy within the Council to develop staff to become credible candidates for internal jobs. It was recognised that it was important to employ the best candidate and therefore recruitment would mainly involve internal and external candidates.

## SC34 LOCAL PLAN UPDATE

*Councillor Gregory took over as the Chair and Councillor Criscione recused himself from this item and left the meeting at 7.58pm.*

The Strategic Director of Planning presented the report. He made the following comments:-

- The Local Plan had been through regulation 19.
- The Local Plan team had spoken to, in the region of 350 residents, at engagement events and there had been 506 responses.
- All tasks were broadly on time and within budget predications for this year.
- There was a Service Level Agreement in place with the Planning Inspectorate and there was regular contact with Government.
- The project plan was appended as appendix one and was on track for submission a few days ahead of 20th December 2024.
- The risk register had been updated in appendix two and all but two items were closed or rated green.
- The key risk was to positively respond to and overcome issues raised on the consultation.
- The remaining issues with stakeholders were not considered insurmountable and the Local Plan was on track to be in place by 2026.

In response to Members questions the following comments were made:-

- The new scheme at Elsenham of 110 houses had not been in the regulation 18 stage, however residents had the opportunity to comment in the regulation 19 stage. All comments would be sent to the Planning

Inspector and it was likely that they would form part of the ongoing examination process.

- There had been ongoing contact from Central Government which had focused on process and timescales.
- The best defence against speculative planning applications was to have a Local Plan adopted, the Local Plan at the current stage has limited weight in decision making.
- All evidence had been published within the regulation 19 consultation including background evidence which had been in the public domain for at least 6 weeks.
- All Councils with emerging Local Plans were working to get the plans submitted within the next 6 months before a new National Planning Policy Framework (NPPF) was issued by the Government.
- The New Towns Task Force had sent a request for any Council's or developers who had potential sites of 10,000 homes or more. A response would be sent by Uttlesford by the deadline of 13th December.

The Chair commended Officers for the report.

The Committee unanimously approved the report.

*Councillor Criscione rejoined the meeting at 8.15pm*

#### SC35 **EXCLUSION OF PUBLIC AND PRESS**

The Chair moved into private session due to the consideration of exempt information in respect of financial and commercially sensitive matters being discussed.

RESOLVED: to exclude the public and press due to consideration of reports containing exempt information within the meaning of section 100I and paragraph 3 part 1 Schedule 12A Local Government Act 1972.

#### SC36 **HOUSING REPAIRS PROCUREMENT - EVALUATION AND AWARD**

The Portfolio Holder for Housing and Equalities introduced the report. He said that the Committee was tasked to make sure that the right contract process had been followed. He said that the housing stock was ageing and therefore the main concern was to find ways to maintain it.

The Interim Director of Property made the following comments about the report:-

- The report set out the background and methodology and how the potential contractors were evaluated.
- Important that lessons from the previous contract were learnt and that the contract was fit for purpose.
- There were seven tenders received and because of the quality of each bid they were all taken through to the next stage.
- The key to the contract was how the Contractor was managed.

- The Property Services team had been restructured to ensure that they were fit for purpose, in order for them to make sure that the Contractor was held to account. This would include contract administration and checking the work carried out for quality and Health and Safety Compliance.
- The evaluation did not just focus on price but the quality of delivery was given 60% weighting with price given 40%.
- How the Contract was managed from day one was important ensuring that there was a change in culture as many of the staff would be TUPE'd over to the new Contractor. There was a rigorous mobilisation and governance management plan.
- The contract was for 5 years with a possible extension of upto another 5 years.
- It would be the Council's system and their data, which would be in their control.
- All scores were moderated and because of the quality of submissions the scoring was very close. This meant there was a potential risk of a challenge to the contract award. There was a 10 day stand still which allowed for unsuccessful Contractors to come forward with a formal challenge which could lead to an injunction and a delay to the contract start date.
- Pricing was set to ensure that value for money was delivered.

The Strategic Director of Housing Environment and Communities said that running through the process was a focus on the customer experience. There had been involvement throughout the process of a tenant representative as well as colleagues from the Resident Engagement Housing Management Team.

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

- If there was a challenge to the contract award the 1st April start date would be delayed. The repairs and maintenance of stock would still continue. This was a risk that had been identified but was unlikely.
- The works carried out by the Contractor had some scope for additional works to be done if required, this would be monitored to ensure that the pricing policy was being used correctly, and to ensure compliance.
- The stock survey that had been carried out set the Stock Investment requirement for the next 30 to 60 years and through the mobilisation process this would be looked at together with the Contractor to establish the works for the next 5 years.
- Any variations to the contract would be managed by the inhouse team.

*Formal agreement was given by the meeting to continue over the 2 hour threshold.*

- The design liability and professional indemnity was the responsibility of the Contractor.
- As part of the mobilisation process there would be a joint training programme and workshops and part of this would be setting out the expectations for the future and the culture.

- The Contractor had experience of different client bases and geographically spread housing stock.
- The Interim Director of Property would remain at the Council for the mobilisation of the new contract and a handover period with the new Director of Property Services.
- The Contractor would be located at the depot along with the inhouse team.
- They would pay rent at the depot.

The Leader thanked Councillor Gregory for his involvement in the process and Councillor Coote for an incredible and rigorous process.

Councillor Coote thanked the Interim Director of Property Services and the Strategic Director of Housing Environment and Communities for the work they had put into the process.

The Chair asked for and was given unanimous agreement to recommend the report to Cabinet as per the recommendations set out in the report and detailed below.

Scrutiny Committee is asked to review and provide feedback on:

The award of the consolidated maintenance contract to Axis Europe Limited for:

- Initial term: 5 years
- Extension option: Additional 5 years (subject to performance)
- Total potential term: 10 years

The contract value of:

- Annual value: £8.6 million
- Total contract value: £86 million (over maximum term if extended to 10 years, at 2025 prices, on which an agreed annual contractual uplift would apply).

Delegation of authority to:

- Director of Property Services
- Strategic Director, Housing, Environment and Communities
- Strategic Director of Finance, Commercialisation and Corporate Services

In consultation with the Portfolio Holder for Housing, to:

- Execute contract documentation
- Approve and oversee mobilisation
- Implement contract management frameworks
- Establish performance monitoring systems

*The meeting ended at 9.26pm*

## PUBLIC SPEAKER SUMMARY

### Minutes Appendix

#### Summary of Mr Ben Deane-Bowers statement to the Committee

Mr Deane-Bowers made the following comments on a number of topics:-

Regulation 19, the City and Council was a shock to some people. He wanted to know what the Council was going to do to mitigate possible depreciation in house prices. He referred to the legal precedent of loss of profit and amenity and to the legal case Hunter versus Canary Wharf in 1997.

The Audit and Standards Committee this week lasted for 17 minutes. Mr Deane-Bowers said that there were strategic items on the agenda that covered big project milestones in Housing that had not been scrutinised by the meeting.

The Housing Procurement award - leaseholders had not been notified of who had been awarded the contract.

There was an issue with scaffolding at number 5 Manor Road, there was no S20 consultation and additionally scaffolding at number 40 had not had a roof covering during storm Bert and water had flooded into the property. He had not been formally notified of the problem as the Leaseholder and because it effected his flat.

He requested that damp and mould was added to the work plan individually for Manor Road and across the portfolio.

He wanted the compensation policy to be tailored to include damp and mould as there was no current scheme.