

**EXTRAORDINARY COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 8 JANUARY 2025 at 7.00 pm**

Present: Councillor M Foley (Chair)  
Councillors A Armstrong, H Asker, S Barker, A Coote, C Criscione (Vice-Chairman), J Davey, A Dean, B Donald, G Driscoll, J Emanuel, J Evans, C Fiddy, R Freeman, R Gooding, N Gregory, N Hargreaves, P Lees, S Luck, J Moran, E Oliver, R Pavitt, A Reeve, N Reeve, G Sell, R Silcock and M Tayler

Officers in attendance: P Holt (Chief Executive), B Ferguson (Democratic Services Manager) and N Katevu (Head of Legal and Monitoring Officer)

**C61 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

The Chair opened the meeting and outlined how he intended to deal with the report and the amendment as submitted by the Leader.

Councillor Barker stated that due to an IT issue she had not received a copy of the amendment.

Apologies for absence were received from Councillors Haynes, Loughlin, McBirnie, Lemon, Coletta, Bagnall and Sutton.

There were no declarations of interest.

**C62 AN UPDATE AND DISCUSSION ON THE GOVERNMENT'S WHITE PAPER ON ENGLISH DEVOLUTION**

Councillor Lees moved the original motion to note the report; this was seconded by Councillor Hargreaves.

Councillor Lees proposed her amendment to the motion. She said Essex County Council (ECC) and other authorities in Essex were eager to move ahead with local government reform. She said objecting to the proposal would prevent Uttlesford from having a say in the reform of local government and securing the best possible outcome for residents from this process. She said that following discussion on the amendment with opposition leaders, she had agreed with Councillor Moran to remove a line relating to the cancellation of the May 2025 elections with the aim of securing a cross-party resolution.

The Chair asked if there were any objections to removing the following wording from the amendment, "it is politically motivated so as to keep the current administration in power for several more years without having to face the amendment." There were no objections.

Councillor Lees concluded by saying that the Council should endeavour to ensure that any local government reform had the best possible outcome for the residents of Uttlesford and not focus on political king-making.

The amendment was seconded by Councillor Hargreaves.

Councillor Gooding said that the cancelling of the ECC elections was practically motivated as the Government wished to carry out their own consultation, which would not be appropriate during a pre-election period.

Councillor Sell said it would be beneficial to get a consensus on what all members would like for the future. Speaking on behalf of the Liberal Democrat Group, he said they supported the proposal of a mayor for Essex. He expressed concern that the 500,000-population threshold required for the new unitary authorities was arbitrary, with all but 6 of the existing unitary authorities being under this threshold, and the timetable was too ambitious. He said his group was opposed to the cancellation of the ECC elections. He said they would like to see five unitary authorities elected by proportional representation as in Scotland would like to see decisions made where possible as close to those who would be affected by them. He suggested a working group of Scrutiny being appointed to assist with potential work relating to reorganisation. He also said it would be beneficial if the minutes of leaders' meetings were circulated with members.

Councillor Pavitt suggested that the proposed reorganisation was an example of politics being done to a community as opposed to with a community, as residents and district councils would not get a say in whether the reorganisation went ahead. He cited the example of Salisbury District Council's incorporation into a unitary body, which he described as an area similar to Uttlesford in its rural character. He reported that there was no evidence that this transition had saved money or improved services and residents did not speak favourably of how it had affected the district.

Councillor Moran expressed concern over the population sizes of the proposed unitary bodies and funding potentially being drawn away from Uttlesford into a larger city should they share a unitary body. He expressed his further concern that Uttlesford may lose many of its traditions in the change.

Councillor Dean reminded members of the disruption that would be caused to people and their jobs by the reorganisation. He expressed concern over the speed at which the proposed reforms were being pushed forward and the possible cancellation of the ECC elections. He was not convinced that an Essex County mayor would be beneficial. He further suggested that the role of a councillor within a unitary body would be closer to a full-time job in terms of commitment.

Councillor N Reeve stated his support for the motion. He said the reorganisation should be in support of residents and that the Council should endeavour to operate at its best in order to put staff in the best possible position for their futures. He said that the ECC elections should not be cancelled and that Uttlesford should receive their 5<sup>th</sup> county seat unless there was strong evidence against this happening.

Councillor Coote said he agreed with Councillor Reeve's remarks excluding his point on the ECC elections. He said that he had campaigned with the Labour party in 1972 to stop the formation of UDC as he did not see the benefit and that he felt similarly regarding the proposed reorganisation. He said that despite these concerns, he would ask the leadership to make sure the Council is at the table to ensure the best possible deal for residents.

Councillor Criscione reminded members how little information on the reorganisation was available at the time of the meeting and that they should consider this before making up their minds as to their position. He commended the Council staff for their work and expressed concern over the timescale and workload of the proposed changes.

Councillor Driscoll said that a larger body would be better equipped to effectively look after the population in 10-15 years' time considering the rate at which the population of the area was growing. He said the process would be expensive but that the Council should not stand in the way of progress. He suggested there would be difficulties surrounding the management of the existing contracts of ECC through the transition to unitary authorities. He stated he believed the ECC election should go forward as it would be wrong if the residents of Uttlesford did not get to vote.

Councillor A Reeve spoke positively of a potential green corridor which could exist linking Enfield and Epping Forest all the way through to Takeley within the potential unitary authority combining the district councils of Uttlesford, Harlow and Epping. He said this could be a critical moment in governance for green reform and was a good opportunity.

Councillor Gregory said that it was hard to disagree with anything said at the meeting by other members. He expressed concerns over the potential pressures of social care that would be the responsibility of a unitary authority and in regard to how existing authorities' debt may affect the new merged authorities. He stated it was unclear what would happen to many of the Council's assets and their revenue e.g. Chesterford Research Park. He concluded by stating his support for the amendment.

Councillor Emanuel spoke of her experience as a project manager for a systems integration and change management consultancy. She said the best examples of restructuring in this field involved clearly articulated objectives, cost benefits and success factors, however none of this could be seen in the proposed reorganisation. The argument that the economy of scale would improve efficiency made sense regarding district councils but it was unclear considering that current county-wide services would have to be scaled down and teams increased. She stated it was essential for risk assessments to be carried out before the decision was made and she found it extraordinary that the voices of affected council leaders were excluded from discussions. She further noted her concern that ECC, Southend and Thurrock, the latter of which she noted had the largest deficit of any UK local authority, would determine the future of local authority in Essex.

Councillor Hargreaves said the work required to carry out reorganisation would take time and put pressure on all activities including cost saving work. The Council would be forced to spend its reserves to stay afloat during this time. Council tax rates for Uttlesford residents would rise to the average of the merged councils and there would likely be an additional Mayoral charge. There were also further Government cuts that would be implemented which combined with the pressures of reorganisation, would place strain on services. He added that the cancellation of ECC elections would reduce democratic accountability for the next few years.

The Leader commended councillors for largely being in agreement. She said she would work with the administration to represent Uttlesford District Council and ask all opposition leaders to work with her. She further commended the quality of leadership at UDC and suggested the Council work to bring this quality into any potential new authority.

The Chair took the amendment to a vote; the amendment was overwhelmingly carried as follows:

RESOLVED:

*“That Council notes the Government White Paper on English Devolution.*

***Strategic Authority ‘devolution deal’ for Essex - this Council notes:***

- the success achieved for local residents in some other parts of England by the introduction of a directly-elected Mayor, particularly as they mature in post and negotiate further devolved powers and new funding from Government*
- that in other parts of England, new Mayoral models have been less obviously beneficial to local residents, but instead represent an additional tier of government whose benefit is disproportionate to the extra cost to council taxpayers*
- that the Government only gives the power to apply for a new Strategic Authority to existing upper tier councils, i.e. Essex County Council, Thurrock and Southend City Councils in Essex*
- that whilst the Government makes only the same upper tier authorities ‘constituent members’ of such new Strategic Authorities, alongside the directly-elected Mayor, some existing district councils have negotiated seats round the table in these new Combined Authorities (as they have until now been known)*
- that the White Paper makes it very clear that the Government is determined to move the just over half of English population in Mayoral Strategic Authority areas to 100% over coming years, and that this is effectively a done-deal for Essex, as it already appears to enjoy the support of Essex County, Thurrock and Southend City Councils.*
- that Essex County Council’s potential application to central Government by their 10th January 2025 deadline to cancel the May 2025 County Council elections will mean that Uttlesford’s due and planned increase in representation from 4 county councillors to 5 this May will not happen, leaving Uttlesford’s significantly grown, and growing, population under-represented*

***Local Government Reform for Essex – this Council notes:***

- that whilst the Government allows for consideration of Local Government Reform to be considered separately from a devolution deal for Essex (i.e. simply the introduction of a Mayoral-led Strategic Authority), they both allow for and actively encourage both matters to come about in parallel
- that within the scope of the Government's intended new large scale Strategic Authorities, they seem dead-set on replacing the County, District and unitary councils with new unitary councils made up of 500,000+ population
- that the creation of any new unitary council in Essex to include Uttlesford's just under 100,000 population would lead to a substantial risk that Uttlesford's Page 3 Agenda Item distinct rural character would be lost within a much larger council established to serve 500,000+ population
- that this risk of under-serving Uttlesford's residents and typically rural communities increases proportionately to the larger the size of the new unitary council all the more so when including more urban communities • the vast amount of work necessary over many years to merge existing councils and to disaggregate Essex County Council services, policies, IT systems, processes and finances across new unitaries
- that the diversion of officer and member resources over several years to the reorganizations will inevitably reduce, or even halt, planned and future improvements in services, planned costs savings, and delivery of new initiatives for local residents
- that Council Tax payers will see their bills change adversely (i.e. potentially increase) directly as a result of council mergers, in circumstances where rates are levelled out between authorities that currently charge different sums, in order to fund the reorganization costs
- that district councils are restricted to annual tax rises of 2.99% resulting in this council having rises long term below inflation, but unitaries are allowed 4.99%.
- that the three most expensive councils in England are unitaries with band D tax of about £500 a year more than Uttlesford, and other rural, home counties or mixed rural/urban unitaries such as Buckinghamshire, Cornwall and North Yorkshire also charge more tax.

#### **Local Government Finance Reform – this Council notes:**

- the clear intention of Government to continue to squeeze local government finances overall by its decision not to make the Ministry of Housing, Housing and Local Government a 'protected department'
- the equally clear intention of Government as expressed in the Chancellor's first budget and delivered in practice in the still-emerging financial settlement to move funding from rural areas of lower deprivation to urban areas of higher deprivation, this being evidenced by ending of the Rural Services Delivery Grant, making Uttlesford £400k pa worse off, and the early indication that additional funding supposed to compensate for the increase in Employers' National Insurance Contribution rates made in the Chancellor's budget is not a pound-for-pound recompense, but is part of a heavily weighted formula, with Uttlesford set to incur costs estimated at £337k pa but with only relief funding of £142k being made available.
- while minor devolution changes illustrated by Government, such as not having to decide cattle grid permissions, may be entirely logical and appropriate, the government has neither addressed nor devolved more fundamental matters such

*as its withheld strict controls and restrictions on most elements of local government finance and centrally regulated fees and charges.*

***Planning Reform – this Council notes:***

- that the new Government's policy direction is clear: to deliver on its economic and environmental missions, it wants to make structural changes to the planning system to see more houses and more infrastructure built more quickly and with fewer constraints.*
- that Government is equally clear: authorities with up to date Local Plans will continue to have much more power and influence over what gets built where locally than those without – meaning that Uttlesford with its Local Plan just submitted and awaiting Public Inspection is in a very good position to maximise its influence over coming years*
- that the Government's annual housing requirement for Uttlesford over the next 20 years have been increased for a second time by the Government since July 2024, and now stand at over 800 per year.*

***This Council believes:***

- 1. That creation of new unitary authorities must be based on all (awaited) material evidence, including local synergies, and it reaffirms its core intent always to work to achieve the best outcomes for both the current and future Uttlesford residents and businesses of a new unitary authority*
- 2. That disruption and uncertainty to Uttlesford staff arising from merger into unitaries must be minimised.*
- 3. That as Essex County Council will not be disbanded for least two and possibly three years, and as setting up a new Mayoral-led Strategic Authority would be entirely separate to the normal work of councillors, the May 2025 County election should go on as scheduled; to cancel it would deny Uttlesford residents their vote including increased representation from the increase in number of electoral divisions covering Uttlesford; further, that the proposal to cancel the election appears to have little evidential basis.*
- 4. That if there is robust evidence that a new Mayoral-led Strategic Authority would bring genuinely new funding, not just redirection of existing budgets, and effective strategic benefits in addition to what unitaries and/or the existing structures can achieve, and without significant extra burden on council tax payers, then it should be supported.*
- 5. That district councils (and for so long as they exist) should have a direct say as voting members of a new Strategic Authority for Essex, alongside the proposed new directly-elected Mayor and the leaders of the county and current two unitary councils.*
- 6. That rural and relatively-less-deprived council areas like Uttlesford's look set to continue to suffer from austerity as much under this government as the last, as evidenced by the removal of grants and the New Homes Bonus with no replacement, and that enforced mergers by government of district councils into unitaries may be a politically convenient substitute for reasonable and proper funding, and with any consequent financial difficulties able to be blamed on the new councils*
- 7. That merging councils which are under financial pressure, including the largest element being the County, will not magic away existing financial difficulties and as the merger, dismantling and run-off costs of legacy assets and*

*liabilities will not be met by government, those difficulties will be made worse and further cuts in facilities and services, but also tax rises, will be required.*

*8. That new, large unitaries are not inherently more financially efficient than district councils, and that their creation will lead to a pay spiral amongst the highest paid staff*

*9. That a majority of residents will pay more than they do at present through likely higher Council Tax bills for a new Mayoral-led Strategic Authority and a new unitary council than they do at present for a district council and a county council together.*

*10. That the provision of both current services and the delivery of new ambitions will be distracted over several years because of the unavoidable workload associated with merging into new unitary councils, and that this will continue for several years beyond the actual start ("vesting") date of the new unitary councils*

*11. That new unitary councils will struggle for financial viability unless the government devolves the setting of council tax rates and all fees and charges, and provides the vital long term financial stability which has frequently been promised and never delivered to district councils*

*12. The council must be represented at all meetings concerning devolution and local government reorganisation matters where Uttlesford residents would be affected."*

In response to a question from Councillor Sell the Chief Executive said that the Council had adequate information to answer the policy questions on paragraph 55 of his report and that further information regarding the timeframe of reorganisation would be expected from the Government in the future.

The Chair took the substantive motion to a vote, as amended.

The motion was overwhelmingly carried.

RESOLVED:

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to 100% over coming years, and that this is effectively a done-deal for Essex, as it already appears to enjoy the support of Essex County, Thurrock and Southend City Councils.

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deprivation, this being evidenced by ending of the Rural Services Delivery Grant, making Uttlesford £400k pa worse off, and the early indication that additional funding supposed to compensate for the increase in Employers' National Insurance Contribution rates made in the Chancellor's budget is not a pound-for-pound recompense, but is part of a heavily weighted formula, with Uttlesford set to incur costs estimated at £337k pa but with only relief funding of £142k being made available.

- while minor devolution changes illustrated by Government, such as not having to decide cattle grid permissions, may be entirely logical and appropriate, the government has neither addressed nor devolved more fundamental matters such as its withheld strict controls and restrictions on most elements of local government finance and centrally regulated fees and charges.

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- that Government is equally clear: authorities with up to date Local Plans will continue to have much more power and influence over what gets built where locally than those without – meaning that Uttlesford with its Local Plan just submitted and awaiting Public Inspection is in a very good position to maximise its influence over coming years
- that the Government's annual housing requirement for Uttlesford over the next 20 years have been increased for a second time by the Government since July 2024, and now stand at over 800 per year.

### **This Council believes:**

1. That creation of new unitary authorities must be based on all (awaited) material evidence, including local synergies, and it reaffirms its core intent always to work to achieve the best outcomes for both the current and future Uttlesford residents and businesses of a new unitary authority
2. That disruption and uncertainty to Uttlesford staff arising from merger into unitaries must be minimised.
3. That as Essex County Council will not be disbanded for least two and possibly three years, and as setting up a new Mayoral-led Strategic Authority would be entirely separate to the normal work of councillors, the May 2025 County election should go on as scheduled; to cancel it would deny Uttlesford residents their vote including increased representation from the increase in number of electoral divisions covering Uttlesford; further, that the proposal to cancel the election appears to have little evidential basis.
4. That if there is robust evidence that a new Mayoral-led Strategic Authority would bring genuinely new funding, not just redirection of existing budgets, and effective strategic benefits in addition to what unitaries and/or the existing structures can achieve, and without significant extra burden on council tax payers, then it should be supported.
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6. That rural and relatively-less-deprived council areas like Uttlesford's look set to continue to suffer from austerity as much under this government as the last, as evidenced by the removal of grants and the New Homes Bonus with no replacement, and that enforced mergers by government of district councils into unitaries may be a politically convenient substitute for reasonable and proper funding, and with any consequent financial difficulties able to be blamed on the new councils
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8. That new, large unitaries are not inherently more financially efficient than district councils, and that their creation will lead to a pay spiral amongst the highest paid staff
9. That a majority of residents will pay more than they do at present through likely higher Council Tax bills for a new Mayoral-led Strategic Authority and a new unitary council than they do at present for a district council and a county council together.
10. That the provision of both current services and the delivery of new ambitions will be distracted over several years because of the unavoidable workload associated with merging into new unitary councils, and that this will continue for several years beyond the actual start ("vesting") date of the new unitary councils
11. That new unitary councils will struggle for financial viability unless the government devolves the setting of council tax rates and all fees and charges, and provides the vital long term financial stability which has frequently been promised and never delivered to district councils
12. The council must be represented at all meetings concerning devolution and local government reorganisation matters where Uttlesford residents would be affected."

The meeting was closed at 8.04pm.