

**SCRUTINY COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 10 JULY
2025 at 7.00 pm**

Present: Councillor N Gregory (Chair)
Councillors M Ahmed, G Bagnall, C Criscione, B Donald,
R Haynes, A Reeve and G Sell

Officers in attendance: P Holt (Chief Executive), D Hermitage (Strategic Director of Planning), and J Procter (Democratic Services Officer)

Also in attendance: Councillors J Evans (Portfolio Holder for Planning) and N Reeve (Portfolio Holder for Environment and Climate Change)

SC10 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Moran and Luck.

Councillor Criscione declared a non-pecuniary interest in item 8 as a member of the National Trust.

SC11 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on Tuesday 3 June were approved as an accurate record.

SC12 RESPONSES OF THE EXECUTIVE TO REPORTS OF THE COMMITTEE

There were no responses of the Executive to reports of the Committee.

SC13 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL IN OF A DECISION

No matters were referred.

SC14 CABINET FORWARD PLAN

The Chair noted that consideration of the Community Safety Partnership had been deferred from the June meeting to the September meeting. He confirmed that members were content to write to the Police, Fire and Crime Commissioner to ask him to attend.

Members commented it was important to invite the Commissioner as residents paid a lot of money in Council Tax towards police, fire and crime and there were concerns from residents over the policing precept. To their knowledge, the

Commissioner had not yet attended any meeting of Scrutiny Committee during his post.

Councillor Criscione requested that the Portfolio Holder for Communities and Local Partnerships also be invited to a meeting with the Commissioner. The Chair agreed and said he hoped the Leader would also be in attendance.

The Chair said he had seen the annual review letter from the Local Government Ombudsman but noted the Council had not been significantly subject to their review in 2025/26 by the time of the meeting.

The Chief Executive noted that in 2024/25 there had been a small number of reports. When reports of this nature were received, they were considered by Audit and Standards Committee.

SC15 **SCRUTINY WORK PROGRAMME**

The Chair said it was his understanding that the mobilisation of the housing contract to date had been highly satisfactory and hoped to see substantive documentation that supported this.

The Chief Executive agreed but noted that the mobilisation was in early stages. There had been occasional teething problems with the transfer, but this was to be expected from a major contract handover. Early indication suggested the number of repairs carried out per council property per year was above the sectoral average and officers were looking into whether this figure would be brought down with the new contractor.

In response to questions from members, the Chief Executive said other authorities with housing stock of a similar age to Uttlesford's did not have as high numbers of repairs carried out per property per year.

Councillor Sell requested with the support of Councillor Bagnall that the issue of the North Essex Parking Partnership be considered at the meeting of Scrutiny Committee on 11 November 2025, to which the Chair agreed. Councillor Sell noted that it was his understanding the North Essex Parking Partnership were due to hold a meeting at the Council in January 2026 and it was his intention to attend this meeting. He noted that Councillor Hargreaves had become the Vice Chair of the panel for the parking partnership.

Councillor Bagnall added that the issue of NWEPP was not just about parking but extended to service provision and that he and Councillor Sell had prepared specific questions for Councillor Hargreaves.

In response to a question from members, the Chief Executive said the Government deadline for Local Government Reorganisation (LGR) submissions was 26 September 2025. In light of this an additional Council meeting had been scheduled for 23 September as it was unknown when any proposals would be received. He expected there would be two or three competing bids for the new local government configuration.

The Chair commented that there would likely be a role for Scrutiny in LGR that would focus on ensuring that business as usual was carried out without distraction from the reorganisation process and in conjunction with the authorities that would merge with Uttlesford. He noted however that the Council would be subject to the will of the Government in terms of LGR and that he and the Director of Corporate Services had recently attended a conference on LGR.

Members made the following comments: -

- The affairs of Uttlesford would need to be configured by 2028 in light of LGR and it would be important to keep an eye on how other authorities approached this process.
- It was within Scrutiny Committee's remit to ensure the Council would run to the right quality and continue to serve its residents for the remainder of the authority's existence especially as resources and money would be allocated to LGR.
- Committee should start to explore which potential elements of LGR might warrant their consideration.

SC16 **CORPORATE PLAN UPDATE**

The Chair elected to go through the Corporate Plan heading by heading and invited comments from members for each.

Members made the following points on:-

- Conserve and Enhance the Quality of the District's Natural Habitats and Wildlife:-
 - The Council has had done a lot in terms of climate change but needed to remain conscious as there was increasing pressure on habitats and wildlife due to the rapid expansion of Uttlesford's population.
 - Members expressed concerns over losing biodiversity through not replacing habitat like for like
 - Members expressed concern whether countywide best practices as recommended by Place Services for the monitoring of biodiversity were adequate.
 - Since the Council had been de-designated it was even more important to pay careful attention to Planning as it presented an opportunity for biodiversity net gain e.g. the development north of Bishop's Stortford that incorporated a country park opposite.

In response to questions from members the Portfolio Holder for Environment and Climate Change said:-

- The Council was in the process of recruiting a new Ecology Officer and at the time of the meeting they had received 47 applications. He hoped that following an appointment to this post the Council would be able to improve its input in the areas covered by Place Services. The Council had been without an Ecology Officer for two months at the time of the meeting.
- He was in the process of enquiring with Place Services and other voluntary organisations into issues concerning the District's protected

roadside verges and the cancellation of the insurance that allowed volunteers to carry out monitoring and maintenance on these verges.

- The Council was on a learning curve of how biodiversity net gain would play into the planning process and he hoped to see dividends from this in the near future.
- The colour coding contained within the draft Corporate Plan reflected the totality of the main items in the plan, but he would consider whether incorporating more specific categories would be beneficial.
- Regarding biodiverse habitats the preferred option was to protect what was pre-existing as much as possible and to avoid remote replacement. The second step was to make improvements to existing sites.
- The Portfolio Holder for Planning, the Strategic Director of Planning, the Climate Change Lead Project Officer, the Development Manager and other officers representing transport and planning policy had begun to meet regularly to ensure the interface between planning and climate change was covered.

In response to a question from a member, The Strategic Director of Planning said:-

- Officers were doing all they could to protect existing biodiversity and had discussed these issues at the Local Plan examination where they had pushed for twice the national standards and this request was under consideration at the time of the meeting.
- Biodiversity net gain was calculated in a hard mathematical way meaning that one type of habitat could be replaced with a number of others. It was his opinion that instances of special habitats e.g. Uttlesford's chalk streams would have to be assessed on a case-by-case basis to ensure they were preserved.
- A software was in place that set out the District's biodiversity net gain requirements to which planning developers had to feed into. The Council also contributed along with around ten other district councils to fund an ecologist at county level to help monitor this. There was also a service level agreement with a Place Services ecologist specifically for planning applications.

○ Manage waste in a sustainable way:-

The Chair suggested that as all members had had an in-depth briefing on this subject shortly before the meeting the section could be considered as covered.

○ Improve Connectivity Infrastructure:-

In response to a question from a member, the Portfolio Holder for Environment and Climate Change said the £130,000 remaining from the £500,000 contribution from the Gigaclear project settlement agreement was in the general fund and did not need to be returned to the Government.

○ Support the Resilience and Growth of the Local Economy: -

- The Chair suggested that it would be useful to see output indicators on the items under this heading. He noted that there was a cost involved for officers to continue to attend meetings and engage with the London Stansted Cambridge Corridor network group even though the Innovation Core was no longer a functioning forum. The Portfolio Holder for

Environment and Climate Change said this came under the Portfolio for Finance and the Economy, but that in his opinion was still good value for money.

- The District was home to an international airport next to a substantial commercial scheme and the Council could play a role in the facilitation of offers.

In response to a question from a member, the Chief Executive said inward investment was an important function for any authority but in Uttlesford's case was carried out at county level. The Council did not pay to attend investment conferences as investors are looking for available land which Uttlesford did not have.

- Provide and Maintain Quality Homes and Invest in Thriving Communities:-
The Chair noted that the subjects covered by this heading were due to be considered at the September meeting and therefore suggested that any comments could be given at that time.
- Tackle Rural Priorities:-
The Chair noted that this item had been downgraded in priority to meet the needs of LGR. He said that in his view this was reasonable as there needed to be flexibility in some areas.
 - Plan for Housing Needs in a Sustainable Way:-
The Chair noted that the Community Infrastructure Levy (CIL) was due to be considered by Cabinet and Full Council in the near future.

The Strategic Director of Planning said officers would likely be able to inform members of the amount they would be able to charge as part of CIL around September/October 2025.

Members discussed the role of historic context and setting in the consideration of future housing needs and the following points were made:-

- Members suggested stronger protection and recognition of setting within the forward plan and cited examples where they felt it had been needed e.g. Burton Hall and Manuden Solar Farm.
- The guidance from Historic England recommended acknowledgement as opposed to protection where it came to historic setting.
- The Corporate Plan referenced the Local Plan which contained further detail on the guidance on setting given by Historic England.

The Portfolio Holder for Planning said the historic contexts detailed on p32 of the agenda pack referred to the protection of historic buildings in particular. The Council was subject to National Planning policy and therefore had limited scope to determine what constituted historic setting as part of its Corporate Plan. As the report was an update against the current Corporate Plan at the time of the meeting, the time to implement changes of this nature would be in February 2026 when the plan for 2026-27 would be considered.

Councillor Haynes asked that regard be given to the Historic England guidance on setting at the next consideration of the Corporate Plan as it included views as

a principle of setting. The Portfolio Holder for Environment and Climate Change said he would discuss this with colleagues and officers.

Members discussed Neighbourhood Plans:-

In response to questions from members, the Strategic Director of Planning said:-

- The Neighbourhood Plan was not mentioned in the Corporate Plan, however the Corporate Plan referenced the Local Plan which included an entire section on the setting of listed buildings.
- Neighbourhood planning was specific but could be incorporated into the Corporate Plan.

Councillor Criscione noted that a section on facilitating neighbourhood planning had been included in a previous corporate plan. The Chair suggested that the success of neighbourhood planning at the Council could explain why it was no longer included in the Corporate Plan as many of them had already been implemented.

The Portfolio Holder for Planning said the Executive remained fully supportive of neighbourhood planning. Following the end of the Local Plan examination, the policy team had more time to provide additional support to communities undertaking neighbourhood plans within the District despite the funding having been withdrawn by Government.

○ Ensure Financial Stability:-

The Chair stated he was not aware of anything out of the ordinary in this area and he was not concerned.

In response to questions from members, the Chief Executive said that as long as the Council was in existence it was under duty to produce a balanced budget for one year and a prediction for the next five as a Medium-Term Financial Strategy. This prediction would outlive the Council's existence due to LGR but was still required. In reaction to this, where officers had previously taken the tactic of implementing longer term strategies, this would no longer be possible until Uttlesford knew which authorities with which it would merge.

○ Use Commercial Assets to Fund Services:-

In response to a question from the Chair, the Portfolio Holder for Environment and Climate Change said Chesterford Research Park remained under constant scrutiny but at the time of the meeting the offers did not meet the financial conditions required by the Council.

Members expressed concern that public money had been spent on the castle ruins in Saffron Walden which remained closed.

In response to questions from members, the Chief Executive acknowledged that there had indeed been occasions when parts of the walls had fallen, although the thirteenth century parts of the building remained intact. It was extremely unlikely that the castle could ever be considered a commercial asset due to the cost of repair and upkeep.

○ Enhance Digital Access and Innovation Across Council Services:-

The Chair noted this item had been put on hold due to consideration of LGR. He commended the Director of Corporate Services and his team as Uttlesford had been named joint-national winner for website accessibility in June 2025.

SC17 HATFIELD FOREST MITIGATION STRATEGY AND DEVELOPMENT TARIFF

The Portfolio Holder for Planning passed on apologies from the report author Mrs L Bowser and noted that several years of work had gone into the preparation of the report. He invited comments and input from members.

He noted the strategy detailed in the report was endorsed by Natural England and that the report referenced appendices regarding which questions could be put to Mrs Bowser outside of the meeting.

Anticipating questions from members, he said the strategy would persist following LGR and would not be materially affected by which authorities Uttlesford and East Herts merge with.

The Strategic Director of Planning said: -

- The Council had worked with the National Trust, Natural England and neighbouring authorities to devise a tariff payable by developers when building within an established visitor zone around Hatfield Forest. The zone had been defined with scientific methods used elsewhere.
- The exact figure of the tariff was £1,333.60 and the calculations that had been used to arrive at this figure were detailed on page 46 of the agenda pack.
- It was calculated that almost £7.5million worth of works would be needed to mitigate the effects of footfall in the forest over the next thirty years.
- The strategy incorporated tried and tested methods based on similar schemes from Epping Forest and the Chiltern Beechwoods.

In response to questions from members, the Strategic Director of Planning said:-

- It was likely that by the time all the dwellings affected by the scheme were delivered further schemes designed to mitigate future impact would already be under consideration.
- Officers had carried out a financial viability test on the scheme, the results of which indicated that developers would be able to absorb the tariff during construction. The tariff figure they used in the test was £1,500 as the exact figure was unknown at that time. To keep their house prices competitive with those outside of the zone of influence, it was likely developers would choose to absorb the cost and house prices would continue to be determined by the market.
- The wider principle behind the strategy was the idea that development must make contributions, similar to the contributions expected of developers that would follow the implementation of the Corporate Infrastructure Levy (CIL). This was a common feature of the English planning system.
- There was provision for a small administrative fee to cover the cost of implementation. A similar fee was intended to be implemented as part of CIL.

- To his knowledge the specific works the National Trust intended to carry out were not included in the papers available at the time of the meeting but more information is available on request and can be provide outside of the meeting.
- The Hatfield Forest mitigation payment only represented one part of the overall strategy. Sites allocated in the emerging local plan had been tested for viability in accommodating Suitable Alternative Natural Greenspace (SANG). It was intended that the new SANG spaces would mitigate the uplift in footfall expected from Uttlesford's increasing population up until 2040 while the Hatfield Forest mitigation payment would address the impact caused by the District's current population size.
- The governance process was included in the appendices but had not yet been agreed. It would have to be agreed by all four councils involved.
- At the time of the meeting the tariff was not yet in place, but some developers had already offered to pay it on the basis that it was an emerging policy. Over £100,000 had been collected.
- The scheme did not charge commercial development as their workers who lived in the zone of influence would be caught by the residential tariff and workers who lived elsewhere were less likely to visit.
- The spending of the money raised by the tariff was to be overseen and reviewed by the steering group, the terms of reference for which was detailed in Schedule 4 which was referenced in the report. The group would be made up of representatives from the partner local authorities, the National Trust and Natural England. They would work to publish, monitor and update a Strategic Access Management and Monitoring Strategy (SAMMS) document and would meet frequently to oversee the implementation and monitoring of the mitigation measures and information sharing and publicity.

Members discussed the report and the following points were made: -

- Members expressed concern that the funds from the Tariff were to be given to a private organisation.
- Members expressed concern that members of the National Trust from across the country may visit Hatfield Forest but would not contribute to the scheme. Councillor Criscione noted there 5.68million National Trust members at the time of the meeting.
- Members expressed concern that the levy could be passed on to the buyer, including those who may not use the forest.
- Although the money raised could be used to carry out damage mitigation work, the scheme would not reduce any footfall which was the root cause. Members suggested exploring using funds to provide alternative sites to reduce the concentration on the forest. Further causes of damage such as air pollution were also a factor in damage to these sites

Councillor Sell said according to the Essex Wildlife Trust the Aubrey Buxton reserve in his ward had been similarly affected by increased footfall and wondered whether similar consideration could be taken by the planning process for development in this area.

Councillor Haynes said that although he had no issue with the principle of the scheme, he would like more clarity over the specifics of the works the National

Trust intended to carry out whether the money raised would be ring fenced for use in Hatfield Forest specifically and to ensure it was administered in a way that gave residents the best possible value for money.

The Chair left the meeting at 20.35.

Councillor Bagnall took the Chair.

Members continued to discuss the report and the following points were made:-

- Developers would likely lean on their properties' location in a green area as part of their marketing strategy and therefore Hatfield Forest would benefit them as a selling point. The increased footfall would be caused by the new developments' effect on population size. It was therefore fair to expect these developers to contribute to its upkeep.
- Hatfield Forest was a major tourist attraction and was clearly under increased pressure which required funds to mitigate.
- Should the cost be passed onto buyers who may not use the site, this was no different in principle than being a taxpayer e.g. where a person's taxes will go towards schools even if they don't have children.
- The National Trust had the ability to regulate admission which would mitigate footfall impact, although this could lead to more parking nearby the forest and may not be popular.
- If the cost of the levy was passed on to buyers they would likely pay this in conjunction with SANG management charges and therefore be charged twice.
- Members commented that the levy should not be seen as a tax on buyers as the cost would likely be absorbed by the developers and should therefore not be abandoned for this reason.
- Members discussed whether it was fair for the same cost to be applied to each individual property regardless of its size and for this cost to be borne only by new houses.
- The report referenced a schedule of specific works that were to be carried out and perhaps monitoring this schedule could be a role for Scrutiny Committee.

The Chair suggested that developers would also have a vested interest in how their contributions would be spend as part of the scheme.

The Strategic Director of Planning said the report would go to Cabinet but not to Full Council and that Members could decide that the SANG provision was mitigation enough and not take forward the levy.

The Chair thanked members for expressing their views and suggested that in the event of the Hatfield Forest Mitigation Strategy and Development Tariff's implementation the governance and schedules should be carefully considered to ensure the money has been spent on the right things.

The meeting closed at 20.55.