



Uttlesford District Council

Chief Executive: Dawn French

Decisions taken in 2017

- **Notice of key decisions to be taken on 12 January**
- **12 January**
- **Notice of key decisions to be taken on 16 February**
- **Notice of decisions taken under special urgency in private on 9 March**
- **Notice of decisions taken by the Leader on 10 March**
- **Notice of general exception of key decisions to be taken on 30 March**
- **30 March**
- **Notice of decisions taken by the Leader on 18 April**
- **25 May**
- **6 July**
- **Notice of general exception of key decisions to be taken on 10 July (1)**
- **Notice of general exception of key decisions to be taken on 10 July (2)**
- **Notice of general exception of key decisions to be taken in private on 10 July**
- **10 July**

- **Assets of Community Value Sub-Committee decisions taken on 8 August**
- **Notice of key decisions to be taken on 7 September**
- **Notice of general exception of key decisions to be taken in private on 7 September**
- **7 September**
- **7 September (updated)**
- **Notice of key decisions to be taken on 18 October**
- **18 October**
- **Notice of key decisions to be taken on 30 November**
- **30 November**
- **Assets of Community Value Sub-Committee decisions taken on 14 December**
- **Notice of general exception of key decisions to be taken on 27 December**
- **Notice of key decision to be taken by the Leader on 27 December**
- **Notice of key decisions to be taken on 11 January 2018**

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which are likely to

- Result in expenditure or savings which are significant having regard to the budget for the service or function to which the decision relates.
- Be significant in terms of the effect on communities living or working in an area comprising two or more wards in the district.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510369/430/433 or by contacting committee@uttlesford.gov.uk

CABINET 12 JANUARY 2017

Key Decisions

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
Equalities Scheme	Cabinet	12 January 2017	To adopt the Equalities Scheme and demonstrate how the council will meet the general equality duty	Cllr Rolfe	Roger Harborough – Director of Public Services rharborough@uttlesford.gov.uk

Decisions to be taken in private

Private Decision	Brief details - for information	Decision maker	Date	Reason for decision to be taken in private	Portfolio Holder	Contact officer from where the documents can be obtained
CPO	To give authority to make a compulsory purchase in order to bring a house and land back into occupation	Cabinet	12 January 2017	The information contained in the report is exempt from publication as it contains information relating to an individual (Local Government Act 1972 Sch 12A s.100I para 1). The public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cllr Redfern	Roz Millership – Assistant Director Housing and Environmental Services rmillership@uttlesford.gov.uk

Articles of Association and Governance Arrangements	To agree Governance arrangements	Cabinet	12 January 2017	The information relates to commercial negotiations with a third party that are subject to a confidentiality agreement and which could be prejudiced by disclosure. The public interest in pursuing the negotiations outweighs the public interest in disclosure.”	Cllr Howell	Adrian Webb – Director of Finance and Corporate Services awebb@uttlesford.gov.uk
Covenant on land to the rear of 33 New Road Elsenham	To consider the outcome of negotiations in relation to a covenant.	Cabinet	12 January 2017	The information contained in the report is exempt from publication as it relates to the financial or business affairs of a particular person (Local Government Act 1972 Sch 12A s.100I para 3). The public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cllr Redfern	Roz Millership – Assistant Director Housing and Environmental Services rmillership@uttlesford.gov.uk

RECORD OF DECISIONS – CABINET 12 JANUARY 2017

<p>Key</p>	<p>Agenda item 7 - Equalities Scheme</p> <p>RESOLVED</p> <p>1 to adopt the appended Equalities Scheme 2017-2021</p> <p>2 to commit to reaching Achieving status by April 2018</p>	<p>Reasons: in compliance with the Council’s legal obligation under the Public Sector Equality Duty to prepare and publish equality objectives at four-yearly intervals, to adopt revised objectives taking into account the responses to the consultation on the draft Equalities Scheme.</p> <p>Other options considered and rejected: a version of the proposed equalities scheme was considered, which was not adopted as the amended version containing additional details was approved.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 8 – Scrutiny enforcement review</p> <p>RESOLVED</p> <p>1 to agree that the corporate customer charter be updated</p> <p>2 an overarching corporate enforcement strategy be developed supported by enforcement policies for</p> <ul style="list-style-type: none"> – benefits – debt recovery 	<p>Reasons: in response to recommendations from the Scrutiny Committee regarding achievement of outcomes in certain key areas of enforcement, and to incorporate into the existing customer charter more detailed commitments to keep customers informed.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether</p>

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RECORD OF DECISIONS – CABINET 12 JANUARY 2017

	<ul style="list-style-type: none"> – development management including building control - environmental health – licensing – litter, fly-tipping, flyposting, abandoned and untaxed vehicles – taxis and private hire operators <p>3 regular reports with a schedule of cases be generated and distributed together with management information for performance review purposes as soon as the database has been addressed</p>	<p>dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 9 – Regulation of Investigatory Powers Act (RIPA) RESOLVED</p> <ul style="list-style-type: none"> 1 the policy as appended be adopted 2 the Chief Executive is given power to designate authorised officers for the purposes of RIPA 3 the Interim Head of Legal Services is designated the Senior Responsible Officer with oversight of the use of RIPA powers 	<p>Reasons: in compliance with the requirement to have a documented policy for the use of powers governed by RIPA.</p> <p>Other options considered and rejected: A change was made to paragraph 6.4 of the proposed policy which accompanied the report. The revised paragraph 6.4 amended the examples given of when directed surveillance might be used and emphasised that the policy was not intended to discourage proportional use of investigatory methods where this was in the public interest, for instance where ensuring public safety or investigating dishonesty.</p> <p>Any interest declared by any member of Cabinet: none.</p>

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RECORD OF DECISIONS – CABINET 12 JANUARY 2017

		In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.
Non Key	RESOLVED that the public be excluded from the following items of business.	<p>Reasons: on the grounds that the items of business involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 Schedule 12A of the Local Government Act 1972.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 13 – Compulsory Purchase of Land</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1 That authority be given for the compulsory purchase of the land referred to in the report. 2 That authority be given for an appropriate amount of works to be carried out to the property while it is in the Council's possession to deal with issues of safety and 	<p>Reasons: to bring a long-term empty property back into use, following extensive efforts to achieve this outcome through discussion with the owner.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether</p>

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	<p>security, to abate environmental nuisances and to prepare the property for marketing. The costs incurred in carrying out these works to be recovered from the resale price.</p> <p>3 That authority be given to dispose of the freehold interest in the property, on the open market, by the most suitable method.</p>	<p>dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 14 – release of covenant</p> <p>1. RESOLVED That Cabinet approves the release of the covenant on land at the rear of 33 New Road, Elsenham, which restricts its use to ‘garden land’</p> <p>2. That Cabinet approves the commencement of negotiations in connection with the release of the restrictive covenant and delegates to the Director of Public Services approval of the terms for the removal.</p>	<p>Reasons: subject to agreement of a fair price, to accede to a request from the owner of the land to release the covenant over the land.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

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Item 7 – Equalities Scheme

Proposed Equalities Scheme 2017 - 2021

1. We will seek to ensure that we have an awareness of diversity in the community and the particular needs and priorities of minority groups, and take into account the equality impacts in preparing, reviewing and implementing policies and programmes and seek to mitigate any adverse impacts

Specific actions

- we will review our local tax support scheme annually;
- we will support tenants to cope with welfare reform by providing advice, information and financial information;
- we will use equalities impact assessments;
- we will address needs and gaps indicated by reviewing service user information; and
- we will provide training to our workforce, including techniques such as toolbox talks, which facilitate health and safety discussions, so that the message reaches all staff including those in front line roles such housing repairs and waste and recycling.

2. We will ensure that equality is central to our thinking as we deliver our corporate plan

Specific actions

- we will prepare a health and wellbeing strategy by Spring 2017, with elements that particularly focus on vulnerable and hard-to-reach groups within our community, including individuals who are socially isolated and those living with dementia;

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- we will support those in sheltered housing to maintain good health by increasing physical activity sessions;
 - we will keep our capital programme and its resourcing under review, including delivery of a £3.5m planned maintenance programme of investment in the council's housing stock;
 - we will seek to obtain more resources for disabled facilities and home repair assistance grants by developing a new approach using a revolving fund.
 - we will develop a voluntary sector support strategy
 - we will carry out an equal pay review
3. We will seek to ensure when consulting with our community that we will endeavour to improve participation and representation of all its constituent elements, having regard to the legally protected characteristics under the Equality Act

Specific actions –

- we will launch a new council tenant engagement initiative “Get involved”
 - we will seek to monitor equalities information when people respond to key consultations
4. We will identify, and where possible address, the root causes of disadvantage and discrimination.

Specific actions –

- we will develop a vulnerable persons strategy based on evidence of need;
- we will ensure that we meet our safeguarding responsibilities.
- we will deal with relevant casework in accordance with our housing, homelessness and housing options and housing allocations policies and strategies.
- we will develop an action plan to address issues of poor quality housing, fuel poverty and slips and falls prevention in private sector rented housing, which will tie in with our health and wellbeing strategy.
- we will complete our programme of licensed caravan site inspections.

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- we will have regard to the needs of the gypsy and traveller community as part of the new local plan making process
5. We will foster good relations between different groups and communities.
- Specific actions
- we will;monitor new Tenancy Sustainment Strategy and report progress to the Housing Board
 - we will monitor new anti-social behaviour policies and report progress to the Housing Board
 - we will participate in the Syrian refugees voluntary resettlement programme.

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THE REGULATION OF INVESTIGATORY POWERS ACT 2000

A procedure guide on the use of covert surveillance and “covert
human intelligence sources”

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Statement of Intent: Uttlesford District Council attaches a high value to the privacy of citizens. It will adhere to the letter and to the spirit of the Act and will comply with this Code.

1. Introduction

- 1.1 The Regulation of Investigatory Powers Act 2000 (“RIPA”) is designed to ensure that public bodies respect the privacy of members of the public when carrying out investigations, and that privacy is only interfered with where the law permits and there is a clear public interest justification.

2. What does RIPA do?

- 2.1 RIPA places controls on the use of certain methods of investigation. In particular, it regulates the use of surveillance and “covert human intelligence sources”. This guide covers these aspects of the Act. Further guidance will be issued on other aspects of the Act if necessary.
- 2.2 RIPA’s main implications for the Council are in respect of covert surveillance by Council officers and the use of “covert human intelligence sources”. (A covert human intelligence source is someone who uses a relationship with a third party in a secretive manner to obtain or give information – for instance an informer or someone working “under cover”.)

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3. Some definitions

3.1 "Article 8 Rights"

This refers to the rights of individuals under the European Convention on Human Rights:

"Everyone has the right to respect for his private and family life, his home and his correspondence.

"There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

The Council must not infringe these rights unless they are acting in accordance with the law for one of the purposes mentioned in the second paragraph. Even then, any infringement of this right needs to be proportionate. (See paragraph 9.4.)

3.2 "Covert"

Concealed, done secretly

3.3 "Covert surveillance"

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Surveillance which is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place;

3.4 “Directed surveillance”

Directed surveillance is defined in RIPA as surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or operation;
- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance (i.e. where the circumstances make it impractical to seek authorisation. An example might be where a police officer on patrol sees a person acting suspiciously and decides to watch them surreptitiously to see whether they are intending to commit a crime.)

Private information in relation to a person includes any information relating to his private or family life.

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3.5 “Intrusive surveillance”

Intrusive surveillance is defined in section 26(3) of the 2000 Act as covert surveillance that:

- a. is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- b. involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

4. RIPA and Surveillance – what is not covered

- 4.1 General observation forms part of the duties of some Council officers. They may, for instance, be on duty at events in the District and will monitor the crowd to maintain public safety and prevent disorder. Environmental Health Officers might covertly observe and then visit a shop as part of their enforcement function. Such observation may involve the use of equipment merely to reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve systematic surveillance of an individual. It forms a part of the everyday functions of law enforcement or other public bodies. This low-level activity will not usually be regulated under the provisions of RIPA.
- 4.2 Neither do the provisions of the Act cover the use of overt CCTV surveillance systems. Members of the public are aware that such systems are in use, for their own protection, and to prevent crime. The Council has produced guidance on the use of CCTV systems.

5. RIPA and Surveillance – What is covered?

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- 5.1 The Act is designed to regulate the use of “covert” surveillance. Covert surveillance means surveillance which is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place. Strictly speaking, only two types of covert surveillance are regulated by RIPA – “directed” and “intrusive” surveillance. However, where the purpose of a surveillance operation is to obtain private information about a person, the authorisation procedures set out in this guide should be followed and the surveillance treated as being “directed”.

6. What is “directed surveillance”?

6.1 Directed surveillance is defined in RIPA as surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or operation;
- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance. (See the clarification of this in paragraph 3.3.)

Private information in relation to a person includes any information relating to his private or family life.

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- 6.2 Directed surveillance is conducted where it involves the observation of a person or persons with the intention of gathering private information to produce a detailed picture of a person's life, activities and associations. However, it does not include covert surveillance carried out by way of an immediate response to events or circumstances which, by their very nature, could not have been foreseen. For example, a plain clothes police officer would not require an authorisation to conceal himself and observe a suspicious person who he comes across in the course of a patrol.
- 6.3 Directed surveillance does not include any type of covert surveillance in residential premises or in private vehicles. Such activity is defined as "intrusive surveillance" and is dealt with in paragraph 7.
- 6.4 In practice, the sort of directed surveillance which the Council might undertake would include the use of concealed cameras or covert surveillance as part of an investigation into environmental offences such as fly-tipping or in connection with investigating local council tax scheme (LCTS) fraud or social housing fraud. Other areas might include licensing or food safety investigations. You should treat anything involving the use of concealed cameras or anything involving keeping covert observation on premises or people as potentially amounting to directed surveillance. If you are unsure, please take advice either from your manager or supervisor, or from the Head of Legal Services. It is important to understand, however, that this policy is not intended to prevent officers from carrying out effective investigations and enforcement activity, especially where ensuring public safety or investigating dishonesty.
- 6.5 Directed surveillance **must** be properly authorised in accordance with the procedure set out in section 9.

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6.6 You should treat any covert surveillance which is likely to intrude upon anyone's privacy to more than a marginal extent as directed surveillance, even if it does not fall within the strict terms of the definition – for instance where surveillance is not part of a specific investigation or operation.

7. Directed Surveillance and Social Media

7.1 The use of the internet may be required to gather information prior to and/or during an operation, which may amount to directed surveillance. Whenever you intend to use the internet as part of an investigation, you must first consider whether the proposed activity is likely to interfere with a person's Article 8 rights, including the effect of any collateral intrusion. (See Section 3 for an explanation of Article 8 rights.)

7.2 Any activity likely to interfere with an individual's Article 8 rights should only be used when necessary and proportionate to meet the objectives of a specific case. If your proposed use of social media in connection with an investigation amounts to covert directed surveillance within the scope of RIPA by electronic means, an authorisation in accordance with the procedure set out in section 9 is needed. Where an investigator may need to communicate covertly online, for example contacting individuals using social media websites, a CHIS authorisation is likely to be needed and the Head of Legal Service should be consulted.

7.3 Where individuals publish information freely (e.g. Twitter accounts, LinkedIn profiles), there is unlikely to be any interference with Article 8 rights. This is also likely to be the case with other information published openly on the Internet. Care should be taken with other social media, such as Facebook. Even if the user has not used privacy settings to restrict access, this does not necessarily mean that they have made a decision to publish personal information to the world. It is likely to be proportionate, in connection with an investigation (e.g. LCTS fraud) to make a single or occasional visit to an unsecured Facebook profile. Further or systematic visits could amount to surveillance. If you are considering monitoring social media such as Facebook in connection with an investigation, you should first seek advice on whether RIPA authorisation is needed.

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8. What is intrusive surveillance?

An important warning: the Council cannot authorise intrusive surveillance.

8.1 Intrusive surveillance is defined as covert surveillance that:

- a. is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- b. involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

8.2 In essence, intrusive surveillance amounts to intrusion into people's homes or vehicles either physically or by means of a surveillance device.

8.3 **Intrusive surveillance cannot be undertaken without authorisation and the Council cannot authorise intrusive surveillance.** Bodies such as the Police and HM Revenues and Customs can authorise intrusive surveillance. If you are asked by another agency to co-operate with intrusive surveillance, you should seek advice from the Head of Legal Services immediately. Where other authorities say that they are authorised to undertake intrusive surveillance but need our co-operation, we need to check that their authorisation is in order.

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9. What is a covert human intelligence source?

- 9.1 A covert human intelligence source is someone who establishes or maintains a relationship with a person for the purpose of covertly obtaining or disclosing information. In practice, this is likely to cover the use of an informer or Council officer to strike up a relationship with someone as part of an investigation to obtain information “under cover”.
- 9.2 Someone who volunteers information to the Council, either as a complainant (for instance, about anti-social behaviour or a breach of planning regulations) or out of civic duty, is unlikely to be a covert human intelligence source. If someone is keeping a record, say, of neighbour nuisance, this will not amount by itself to use of a covert human intelligence source. However, if we are relying on, say, a neighbour to ask questions with a view to gathering evidence, then this may amount to use of a covert human intelligence source.
- 9.3 The use by the Council of covert human intelligence sources is expected to be extremely rare and, for that reason, this guide does not deal with the issues to which they give rise. If you are contemplating use of a covert human intelligence source, please take advice from the Head of Legal Services before putting your plan into action.

10. Authorising Directed Surveillance: The Rules

- 10.1 It is crucial that all directed surveillance is properly authorised. Failure to secure proper authorisation and to comply with this procedure could lead to evidence being excluded by the courts and to complaints against the Council. The Council is subject to audit and inspection by the Office of the Surveillance Commissioner and it is important that we can demonstrate compliance with RIPA and with this code. **Again, please note that the Council cannot authorise intrusive surveillance – see section 8.**

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10.2 **Who can authorise directed surveillance?** Regulations made under the Act say that the most junior level at which authorisations can only be given is by what it refers to as “assistant chief officers”. For the purposes of this Code, authorisations may only be given by the officers identified in the Appendix to this Guide referred to as “authorising officers”. In cases of urgency, if it is not possible to seek authority from an authorising officer, authority may be given by a deputy to an authorising officer, but ratification of that authority should be sought at higher level as soon as practical, and the reasons for urgency recorded on the authorisation form. Where practical, the authorising officer should not be directly involved in the case giving rise to the request for authorisation. (However, an authorising officer may authorise a request made by staff who report to them if they are not directly involved in the case.) Where it is not practical for authorisation to be given by an officer who is not directly involved, this should be noted with reasons on the authorisation form. In addition to internal authorisation, directed surveillance cannot be carried out without the approval of a Magistrate. (See paragraph 11.2 below.)

10.3 **On what grounds can directed surveillance be authorised?** Directed surveillance can only be authorised by local authorities:

- for the purpose of preventing or detecting serious crime where the offence under investigation carries a custodial sentence of six months or more; or

- for the purpose of preventing or detecting conduct which is an offence under—
 - (i) section 146 of the Licensing Act 2003 (sale of alcohol to children);
 - (ii) section 147 of the Licensing Act 2003 (allowing the sale of alcohol to children);
 - (iii) section 147A of the Licensing Act 2003² (persistently selling alcohol to children);
 - (iv) section 7 of the Children and Young Persons Act 1933³ (sale of tobacco, etc, to persons under eighteen).”.

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When the legislation was introduced, the Council could authorise directed surveillance on other grounds (e.g. in the interests of public safety or in the interests of protecting public health, or to prevent or detect disorder) but the serious crime ground is the only one available to local authorities. The Police have wider powers to authorise directed surveillance.

Please note that surveillance has to be **necessary** for the serious crime purpose. If you can just as well carry out an investigation by means which do not involve directed surveillance, then you should use them.

- 10.4 **Is the proposed surveillance proportionate?** Authorisation should not be sought, and authority should not be given unless you are satisfied that the surveillance is proportionate. You should make sure that any interference with privacy is justified by the end being sought. Unless the benefit to be obtained from surveillance is significant, and unless the problem you are seeking to tackle is serious, the use of surveillance is unlikely to be proportionate. We should not “use a sledgehammer to crack a nut”!
- 10.5 **Is the proposed surveillance discriminatory?** The Council is under a legal obligation to avoid either direct or indirect discrimination in carrying out its functions. As surveillance can interfere with rights contained in the European Convention on Human Rights, discrimination can also amount to a breach of the Human Rights Act. You should be sensitive to this issue and ensure that you apply similar standards to seeking or authorising surveillance regardless of ethnic origin, sex or sexual orientation, disability, age etc. You should be alert to any assumptions about people from different backgrounds which may not even be consciously held.
- 10.6 **Might the surveillance involve “collateral intrusion”?** In other words, might the surveillance intrude upon the privacy of people other than those who are the subject of the investigation. You should be sensitive of the privacy rights of third parties and consider very carefully whether the intrusion into their privacy is justified by the benefits of undertaking the surveillance.

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10.7 **Might the surveillance involve acquiring access to any confidential or religious material?** If so, then the surveillance will require a particularly strong justification and arrangements need to be put in place to ensure that the information obtained is kept secure and only used for proper purposes. Confidential material might include legal or financial records, or medical records. Where there is a possibility that access to confidential or religious material might be obtained, the authorisation of the Chief Executive (or, in her absence in cases where it is not practical to wait for her return, the authorisation of a Director acting as her deputy) should be sought.

11. Authorising Directed Surveillance: The Procedure

11.1 Applying for authorisation.

11.1.1 Detailed guidance on the authorisation procedure and on how to complete the statutory forms is available on the Council's Intranet at [address to be added]. The individual forms are available separately and links to them are set out in Appendix 3. You must only use the forms that are on the Intranet, you should read the accompanying notes carefully and follow them when completing the form.

11.1.2 Before submitting an application for authorisation, you must supply a copy of your request to the Head of Legal Services. You may only submit your application for authorisation if you obtain the approval of the Head of Legal Services.

11.1.3 A written application for authorisation for directed surveillance should describe in detail any conduct to be authorised and the purpose of the investigation or operation. The application should also include:

- the reasons why the authorisation is necessary in the particular case

Date of Publication: 16 January 2017

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and on the grounds (e.g. for the purpose of preventing or detecting crime) listed in Section 28(3) of the 2000 Act;

- the reasons why the surveillance is considered proportionate to what it seeks to achieve;
- the nature of the surveillance;
- the identities, where known, of those to be the subject of the surveillance;
- an explanation of the information which it is desired to obtain as a result of the surveillance;
- the details of any potential collateral intrusion and why the intrusion is justified;
- the details of any confidential information that is likely to be obtained as a consequence of the surveillance.
- the level of authority required (or recommended where that is different) for the surveillance; and
- a subsequent record of whether authority was given or refused, by whom and the time and date.

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11.2 Approval by a Magistrate

11.2.1 The internal authorisation for covert surveillance is not to take effect until a Magistrate has made an order approving it. Approval can only be given if the Magistrate is satisfied that:

(a) There were reasonable grounds for the authorising officer to believe that the directed surveillance was necessary and proportionate and that there remain reasonable grounds for believing so.

(b) The authorising officer was of the correct seniority within the organisation i.e. a Director, Head of Service, Service Manager or equivalent.

(c) The granting of the authorisation was for preventing or detecting crime and that the offence under investigation carries a custodial sentence of six months or more.

10.2.2 You must not commence covert surveillance until you have confirmation that the Magistrate's approval has been given.

11.3 Duration of authorisations

11.3.1 A written authorisation granted by an authorising officer will cease to have effect (unless renewed) at the end of a period of **three months** beginning with the day on which it took effect.

11.3.2 Even though authorisations cease to have effect after three months, you should not simply leave them to run out. When the surveillance ceases to be necessary, you should always follow the cancellation procedure. See section 11.6. Where surveillance has ceased, we must be able to match each authorisation with a cancellation.

11.4 Reviews

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- 11.4.1 Regular reviews of authorisations should be undertaken to assess the need for the surveillance to continue. The maximum period between authorisation and review, and between reviews, should be four weeks. The more significant the infringement of privacy, the more frequent should be the reviews. The results of a review should be recorded on the central record of authorisations (see paragraph 12). Particular attention is drawn to the need to review authorisations frequently where the surveillance provides access to confidential information or involves collateral intrusion.
- 11.4.2 In each case authorising officers within the Council should determine how often a review should take place. This should be as frequently as is considered necessary and practicable.
- 11.4.3 A link to the form to record a review of an authorisation may be found in Appendix 2 to this Guide.

11.5 Renewals

- 11.5.1 If at any time before an authorisation would cease to have effect, the authorising officer considers it necessary for the authorisation to continue for the purpose for which it was given, s/he may renew it in writing for a further period of **three months**. A renewal cannot take effect unless it has been approved by a Magistrate. If you think a renewal might be needed, you should plan to allow sufficient time for an application to a Magistrate to be made before expiry.
- 11.5.2 A renewal takes effect at the time at which, or day on which the authorisation would have ceased to have effect but for the renewal. An application for renewal should not be made until shortly before the authorisation period is drawing to an end. Any person who would be entitled to grant a new authorisation can renew an authorisation. Authorisations may be renewed more than once, provided they continue to meet the criteria for authorisation.

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11.5.3 All applications for the renewal of an authorisation for directed surveillance should be made on the form linked to Appendix 2 to this guide and should record:

- whether this is the first renewal or every occasion on which the authorisation has been renewed previously;
- any significant changes to the information given in the original application for authorisation;
- the reasons why it is necessary to continue with the directed surveillance;
- the content and value to the investigation or operation of the information so far obtained by the surveillance;
- the results of regular reviews of the investigation or operation.

11.5.4 Authorisations may be renewed more than once, if necessary, and the renewal should be kept/recorded as part of the central record of authorisations (see paragraph 12).

11.6 Cancellations

Date of Publication: 16 January 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

11.6.1 The authorising officer who granted or last renewed the authorisation must cancel it if he is satisfied that the directed surveillance no longer meets the criteria upon which it was authorised. Where the authorising officer is no longer available, this duty will fall on the person who has taken over the role of authorising officer. If in doubt about who may cancel an authorisation, please consult the Head of Legal Services. Cancellations are to be effected by completion of the form linked to in Appendix 2 to this Guide.

11.6.2 N.B. Please note that there must be a completed cancellation for each authorisation once surveillance has been completed. An authorisation cannot simply be allowed to expire.

11.7 Ceasing of surveillance activity

11.7.1 As soon as the decision is taken that directed surveillance should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject(s). The date and time when such an instruction was given should be included in the Notification of Cancellation form.

12. Record Keeping and Central Record of Authorisations

12.1 In all cases in which authorisation of directed surveillance is given, the Service Head is responsible for ensuring that the following documentation is kept safely for a period of at least three years from the date of authorisation:

- a copy of the application and a copy of the authorisation together with any supplementary documentation and notification of the approval given by the authorising officer;

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- a record of the period over which the surveillance has taken place;
- the frequency of reviews prescribed by the authorising officer;
- a record of the result of each review of the authorisation;
- a copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested;
- the date and time when any instruction was given by the authorising officer.

12.2 In addition, copies the following must be sent to the Head of Legal Services immediately upon completion:

- all completed forms authorising directed surveillance;
- all completed forms authorising renewal of directed surveillance;

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- all completed forms cancelling directed surveillance.

These are kept by the Internal Audit Manager. who will review them at least every twelve months.

13. Authorising Use of Covert Human Intelligence Sources

- 13.1 Similar principles and procedures apply to authorising the use of covert human intelligence sources, including the need for authorisations to be approved by a Magistrate. If it becomes apparent that their use is more than very exceptional, detailed guidance will be published and circulated. For the present, officers' attention is drawn to the explanation of the nature of a covert human intelligence source in Paragraph 9. If you think you might be using, or might use, a covert human intelligence source, please contact the Head of Legal Services, who will advise on the principles to be applied, the authorisation procedure, record keeping etc. For the avoidance of doubt, the Council will comply, so far as applicable, with the model guidance issued by the Home Office.

14. Authorisations by Third Parties

- 14.1 You may be approached by another agency, e.g. the Police or HMRC, to co-operate in undertaking activities regulated by RIPA. In cases where the Council is acting on behalf of another agency, the tasking agency should normally obtain and provide evidence of the RIPA authorisation. Although the Council can act on an authorisation obtained by another agency, it is still important for the Council to reach a view on whether it is appropriate to co-operate. Please, where practical, seek the advice of the Head of Legal Services before acting on a third-party authorisation.

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14.2 Home Office guidance says that, where possible, public authorities should seek to avoid duplication of authorisations as part of a single investigation or operation. For example, where two agencies are conducting directed surveillance as part of a joint operation, only one authorisation is required. Duplication of authorisations does not affect the lawfulness of the activities to be conducted, but may create an unnecessary administrative burden on authorities. But we should not use Police authorisation as a means to avoid the safeguards put in place for local authority use of RIPA or as a means of carrying out surveillance for purposes not authorised for local authorities; e.g. intrusive surveillance or surveillance for non-permitted purposes. If it is primarily a Council operation, then the Council should be responsible for authorisation.

14.3 You must notify the Head of Legal Services of all occasions on which you act under a RIPA authorisation obtained by a third party.

15. Access to Communications Data

15.1 There are stringent controls placed on access by the Council to “communications data”. The Council is not entitled to obtain access to the content of communications between third parties but can, in some circumstances, obtain information relating to the use of a communications service. “Communications services” include telecom providers, postal services and internet service providers.

15.2 This is a complex area, procedurally and legally. Access to communications data can only be obtained through the Council’s designated “single point of contact” (“SPOC”) for communications data. [tbc] has this role and you should consult him/her at an early stage if you think you may need access to communications data.

Date of Publication: 16 January 2017

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16. Covert surveillance outside of RIPA

16.1 Not all types of covert surveillance falls within the scope of RIPA which, for local authorities, is limited to criminal investigations and the underage sale of alcohol or tobacco. On occasion, it may be appropriate to carry out covert surveillance in connection with, for instance, an audit or disciplinary investigation. Formal RIPA authorisation will not be needed in these circumstances but the principles embodied in RIPA still apply. In these circumstances, you should complete the non-RIPA application form and submit it to an authorising officer for approval. Detailed guidance on non-RIPA surveillance is available on the Intranet at [to follow] .

17. Further Information

17.1 Services may wish to develop their own guidance. This is to be encouraged. However, the principles and procedures contained in service specific guidance must be compatible with this guidance.

17.2 There is much helpful information on the Home Office web site about RIPA. See Appendix Two for links.

17.3 The Head of Legal Services will be happy to advise further on issues connected with RIPA. Services need to consider what their training needs are in this area and the Head of Legal Services is willing to discuss what help he can offer with this.

Simon Pugh

Date of Publication: 16 January 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

Interim Head of Legal Services

Date of Publication: 16 January 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

Approved Authorising Officers for the Purposes of the Regulation of Investigatory Powers Act 2000

TBC

Links

Links to Home Office Information on RIPA, including codes of practice are at <http://www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/> Forms are also available via this site but you should only use the forms on the Council's Intranet, which may be found through the links in Appendix Three.

Intranet Guidance

RIPA Covert Surveillance Forms and Guidance

Regulation of Investigatory Powers Act 2000

Guidance on the use of covert surveillance and "covert human intelligence sources"

Date of Publication: 16 January 2017

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- The Regulation of Investigatory Powers Act 2000 - Procedure Guide 2013 [DOC, 87kB]

The guidance manual and the information set out in all the forms below have been purchased from an external source and copyright belongs to Ibrahim Hasan (2010) of Act Now Training - www.actnow.org.uk - Surveillance Law Training and Resources. Under no circumstances should copies of the manual or guidance be provided to any other person or organisation outside Uttlesford District Council.

RIPA Guidance Manual

- 1. Introduction [PDF, 0.5MB]
- 2. Guidance for Authorising Officers [PDF, 153kB]
- 3. Completing the RIPA Forms [PDF, 0.8MB]
- 4. Seeking Magistrates' Approval [PDF, 121kB]
- 5. Non RIPA Surveillance [PDF, 0.6MB]

Directed Surveillance (DS) Forms

- 15 DS Review Form.doc [DOC, 61kB]
- 14 DS Application Form.doc [DOC, 115kB]
- 17 DS Cancellation Form.doc [DOC, 47kB]
- 16 DS Renewal Form.doc [DOC, 59kB]

Covert Human Intelligence Source (CHIS) Forms

- Completing the CHIS Forms.doc [DOC, 24kB]
- CHIS Review [DOC, 62kB]

Date of Publication: 16 January 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

- CHIS Application [DOC, 122kB]
- CHIS Cancellation [DOC, 45kB]
- CHIS Renewal [DOC, 61kB]
- CHIS Non-RIPA Form [DOC, 89kB]

Date of Publication: 16 January 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which are likely to

- Result in expenditure or savings which are significant having regard to the budget for the service or function to which the decision relates.
- Be significant in terms of the effect on communities living or working in an area comprising two or more wards in the district.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510369/430/433 or by contacting committee@uttlesford.gov.uk

CABINET 16 FEBRUARY 2017

Key Decisions

None

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained

Decisions to be taken in private

Private Decision	Brief details - for information	Decision maker	Date	Reason for decision to be taken in private	Portfolio Holder	Contact officer from where the documents can be obtained
Articles of Association for Investment Opportunity Company	To consider the Articles of Association	Cabinet	16 February 2017	The information contained in the report is exempt from publication as it contains information relating to the financial or business affairs of any particular person (Para 3 Section 100I of the Local Government Act 1972) The public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cllr Howell	Adrian Webb – Director of Finance and Corporate Services awebb@uttlesford.gov.uk

UTTLESFORD DISTRICT COUNCIL

NOTICE OF EXEMPT INFORMATION DECISION MADE UNDER THE SPECIAL URGENCY PROVISIONS IN THE BUDGET AND POLICY FRAMEWORK RULES AS BEING A DECISION MADE OUTSIDE OF THE BUDGET OR POLICY FRAMEWORK

Notice is hereby given of the decision set out below taken on the grounds of special urgency under paragraph 4.1 of the Council's Budget and Policy Framework Procedure Rules:

At its meeting on 8 December 2016 the Council made a decision in relation to an investment opportunity in part 2 of the meeting under exempt information provisions (see Minute C57 of that meeting), which included the following:

The acquisition to be funded either:

- i. Wholly from the Public Works Loan Board on a fixed rate repayment basis over a 50 year term; or*
- ii. A mix of internal borrowing and fixed rate repayment loan(s) from the Public Works Loan Board.*

Delegation is given to the S151 Officer in consultation with the Leader and Finance Portfolio Holder to determine the most appropriate method of funding, after taking advice from the Council's financial advisers Arlingclose.

Information about the substantive decision remains exempt for the reasons endorsed by Council on 8 December 2016.

The following decision to add a third option was made on 6 March 2017 by the Leader and Finance Portfolio Holder in consultation with the S151 Officer:

- iii. A mix of internal and other local authority borrowing, along with fixed rate repayment loan(s) from the Public Works Loan Board and/or other private funders.*

Process for taking the decision

Paragraph 4.1 of the Budget and Policy Framework Procedure Rules enables a decision to be taken which is contrary to or not wholly in accordance with the budget approved by Full Council if the decision is a matter of urgency, provided the following conditions are met:

1. It is not practical to convene a quorate meeting of the Full Council; and
2. if the Chairman of a relevant overview and scrutiny committee agrees that the decision is a matter of urgency.

The Chairman of the Council, Councillor Davey, agreed on 6 March that the urgency of the need for a decision means that it is not practical for a Full Council meeting to be convened in the relevant timeframe.

The Chairman of the Scrutiny Committee, Councillor Dean, agreed on 8 March that the decision is a matter of special urgency and therefore not subject to the call-in provisions contained in the Overview and Scrutiny Procedure Rules.

Reason for urgency

The item is urgent and cannot be deferred as any delay would prejudice the Council's commercial interests. The decision taken will therefore come into effect immediately following publication of this notice.

Reason for treating the matter as exempt information not for publication

Any further information beyond the wording contained in this Decision Notice is exempt information under s.100I of the Local Government Act 1972 as defined in paragraph 3 of Part 1 of Schedule 12A on the grounds that commercial negotiations with a third party are subject to a confidentiality clause which could be prejudiced by disclosure. The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Report to the Council Meeting on 4 April 2017

A full report will be submitted to the Council meeting on 4 April explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

The decision will come into effect immediately upon publication of this Decision Notice.

Peter Snow
Democratic and Electoral Services Manager
Uttlesford District Council

Date: 9 March 2017

NOTICE OF EXECUTIVE DECISION(S)

Decision	Decision maker	Date of decision	Urgent decision (reason)	Decision to be taken in private? (reason)	Documents submitted to the decision maker for consideration	Contact officer from where the documents can be obtained
Provide £50k match funding to lever an additional contribution by ECC to the Uttlesford Local Highways Panel budget. The combined additional contributions increase the Panel's budget by £100k in 2017/18	Leader of the Council	10/03/17	Confirmation of match funding required by ECC Cabinet Member for Highways and Transportation by 24 March	No	Letter dated 3 March from Cllr Eddie Johnson to the Leader	Gordon Glenday, Assistant Director – Planning gglenday@uttlesford.gov.uk 01799 510601

Date of Publication: 19/04/17

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISIONS TO BE MADE UNDER REGULATION 10 (General exception)

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Notice is hereby given that the following key decision will be made.

Item	Meeting	Date	Key Decision?	Reasons for exemption from publication	Portfolio Holder	Contact officer from whom documents can be obtained	Democratic Services contact details
Broadband Investment - to confirm grant to preferred bidder	Cabinet	30 March	Yes	Exemption reasons*		Roger Harborough – Director of Public Services	Rebecca Dobson – Principal Democratic Services Officer committee@uttlesford.gov.uk 01799 510433

*The information is exempt information under s.100I LGA 1972 and paras 3 and 5 Sch 12A (effect upon the commercial interests of the contractor concerned). The public interest test is satisfied by the application of the exemption as it may prejudice the Council's ability to secure the provision of these services if the information were to be put in the public domain.

The Chairman of the Scrutiny Committee, Cllr Dean, has agreed that compliance with the “general exception” provisions under regulation 10 is impractical and the making of this decision is urgent and cannot reasonably be deferred.

The reason that the above item is considered to be urgent is that Superfast Essex Phase 3 rollout procurement is being managed by Essex County Council and Broadband Delivery UK. It covers other lots as well as an Uttlesford lot, and needs to follow a predetermined programme to comply with OJEU procedures including BDUK obtaining state aid approval by 19 April. To defer the item to the subsequent meeting of the Cabinet to enable compliance with Regulations 5 (Procedures prior to private meetings) and 8 (Key decisions) would be prejudicial to the procurement process.

Dated 15 March 2017

RECORD OF DECISIONS – CABINET 30 MARCH 2017

<p>Non -Key</p>	<p>Agenda item 7 - To fill vacancies on the Policy Planning Working Group, Refugee Working Group and Stansted Airport Advisory Panel</p> <p>RESOLVED to appoint Councillor Petrina Lees to the Planning Policy Working Group.</p>	<p>Reasons: To appoint a member nominated by Residents For Uttlesford to the vacancy on the Planning Policy Working Group.</p> <p>Appointments to the remaining vacancies will be made after the May elections.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 8 – Nomination for Railway Arms Public House, Saffron Walden, to be listed as an Asset of Community Value</p> <p>RESOLVED to approve the nomination to include the Railway Arms Public House, Saffron Walden, in the Assets of Community Value list.</p>	<p>Reasons: Following a valid request for the consideration of the public house as an asset of community value, as, in the reasonable opinion of the Cabinet:</p> <p>The Railway Arms has furthered the social wellbeing of the community in the past five years, and has the potential to do so again in the next five years.</p> <p>Other options considered and rejected: Not to add the building to the Assets of Community Value list.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 9 – Office Units at Walpole Farm</p>	<p>Reasons: The Council is keen to strengthen its role in economic development and promoting local businesses. By accepting this lease</p>

Date of Publication: 3 April 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 30 MARCH 2017

	<p>RESOLVED to approve the option to take out a 10 year lease at a peppercorn rent, on full insuring and repairing terms for office units.</p>	<p>it will provide additional office units within the portfolio held by the Council.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.</p>
<p>Non Key</p>	<p>Agenda item 10 – Strategic Housing Market Area - Memorandum of Understanding and Statement of Common Ground</p> <p>RESOLVED to approve the Memorandum of Understanding and the Statement of Common Ground with the amendment of paragraph 1:6, as tabled to members at cabinet:</p> <p>Three Strategic Housing Market Assessments (SHMAs), published in 2010, 2012 and 2015 have been undertaken for the combined area of East Hertfordshire, Epping Forest, Harlow and Uttlesford Districts₂. The most recent SHMA was commissioned by the Co-op Member Board and managed through a sub group of the Co-op Officer Group. Details of the terms of reference and working practices of the Co-op Member Board and the Co-op Officer Group are set out in Appendix 2. The 2015 SHMA gives an up to</p>	<p>Reasons: To recognise the understanding on objectively assessed housing need across the West Essex/East Hertfordshire Housing Market Area between the relevant authorities, and to fulfil the duty to cooperate on strategic cross-boundary issues between Uttlesford and North Hertfordshire</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>

Date of Publication: 3 April 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 30 MARCH 2017

	<p>date and Planning Practice Guidance compliant,³ assessment of housing need over the Housing Market Area (HMA) for the period 2011-2033. It is acknowledged that since the publication of the SHMA in 2015, updated 2014-based household projections have been published – see paragraph 3.4. The four authorities are all committed to identifying an up-to-date OAHN based on the 2014-based projections. The 2015 SHMA gave the following headline results (in net additional dwellings) for the HMA as a whole, and for each local authority.</p>	
<p>Non Key</p>	<p>Agenda item 12 – Delegated powers for minor land transactions (HRA Land) RESOLVED that the Assistant Director – Housing and Environment be given delegated power, after consultation with the portfolio holder, to authorise: a. The disposal of small parcels of land for amenity use, not exceeding 12 square metres, provided that the land does not have development potential; b. Boundary rectification and other rectification needed to correct errors made in right to buy disposals</p>	<p>Reasons: This delegation of power will avoid reports to Cabinet on minor matters and will allow these matters to be dealt with promptly. Other options considered and rejected: none. Any interest declared by any member of Cabinet: none In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 13 - Corporate Plan Delivery Plan</p>	<p>Reasons: To approve a delivery plan setting out significant actions/projects (outputs), expected outcomes and performance</p>

Date of Publication: 3 April 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 30 MARCH 2017

	<p>2017-18</p> <p>RESOLVED to approve the Corporate Plan Delivery Plan with the following amendment on Page 7:</p> <p>Instead of ‘promotion events in Dunmow and Stansted’, the line should read ‘promotion events across Uttlesford’.</p>	<p>measures in relation to the Corporate Plan</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non - key</p>	<p>Agenda item 15 – Consideration of an item containing exempt information within the meaning of para 3 of schedule 12A of the Local Government Act 1972</p> <p>RESOLVED to exclude the public from the following item.</p>	<p>Reasons: To enable consideration of an item exempt from publication.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 16 – Superfast Broadband Investment</p> <p>RESOLVED to approve the recommendation.</p>	<p>Reasons: In light of the positive consequences that the implementation of the proposal will have.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p>

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RECORD OF DECISIONS – CABINET 30 MARCH 2017

		In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A
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Date of Publication: 3 April 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

NOTICE OF EXECUTIVE DECISION(S)

Decision maker	Date of decision	Decision	Reason	Other options considered and rejected	Urgent decision? (reason)	Decision to be taken in private? (reason)	Contact officer from where the documents can be obtained
Cllr Rolfe	18/04/2017	To progress with the purchase of land at 19 Newton Green for the sum of £30,000.	To facilitate a start on site in quarter 2 of this financial year, subject to receiving planning approval	N/A	Yes – to enable purchase of land to proceed	No	Roz Millership

Date of Publication: 19/04/2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in

TITLE: Land at Newton Grove, Newton Green, Great Dunmow

Summary

In order to progress with the redevelopment of an underutilised UDC owned garage site for a construction of four new Council owned homes, it is necessary to purchase a small area of land from an adjacent land owner at 19 Newton Green, Great Dunmow. The terms of the purchase have been discussed and agreed with the land owner, should the purchase proceed. The timely purchase of this area of land is necessary to tie in with the planning application, which if approved, will enable a start on site in the 2nd quarter of this financial year. This is important in terms of the continued use of Right to Buy receipts to deliver the Council's on-going development programme.

Recommendation

That approval is given to proceed with the purchase of this area of land, as shown on the attached plan, from the owner of 19 Newton Green, Great Dunmow.

Financial Impact

The land has been valued by Strutt and Parker, and the purchase price agreed in line with this valuation. The Council has a designated budget for this development project, which includes both the land and the build costs. This development will be part funded by Right to Buy receipts, as this site is eligible for this funding stream, under the rules.

Situation

The UDC owned garage site at Newton Grove is a Ground Rent Site, where residents can lease an allotted part of the site to erect their own garage. The site only has one old garage on it, which although still used, is not under a current lease. The initial proposal was to redevelop the site in isolation providing three new affordable Council owned homes.

The public consultation on this proposal highlighted the following:

- The Town Council are fully supportive as this site has been subject to fly tipping and other anti-social behaviour in the past.
- The adjacent owner at 2 Newton Villas provided information relating to a right of way in their favour, granted by the Council in 1985 over part of the garage site.
- The residents of the adjacent flats objected to the proposal due to the loss of car parking.
- The owner of 19 Newton Green offered to sell the Council part of their garden as it adjoins the garage site.

The location of the Right of Way had the negative impact of reducing the developable area of the garage site, with the effect of reducing viable numbers to only two dwellings. However, with the extra piece of garden land located at 19 Newton Green, it was then possible to re-orientate the proposed development to provide four dwellings with parking and gardens. This layout also secures the adjacent owner's Right of Way as

well as the option to construct 16 new car parking spaces for the adjacent flats. The attached layout plan shows the current proposal that will form the planning application. This proposal has received formal comments from planners as part of a pre-application, and has received positive feedback.

With the agreement of the land owner at 19 Newton Green, the Council instructed Strutt and Parker to carry out a valuation of garden land to be purchased. This was valued at £30,000, which is the price agreed with the vendor. In terms of the legal mechanism, it has been agreed that contracts will exchange subject to receiving a satisfactory planning permission, with completion once permission has hopefully been granted.

Subject to receiving planning permission and completing on the purchase of this area of land, a start on site could be achieved in quarter 2 of this financial year, with completion in 8-9 months.

Conclusion

That approval is sought from the Leader of the Council to commence contract preparations for the purchase of land at 19 Newton Green, Great Dunmow.

Signed..... Date.....

Cllr Rolfe, Leader of the Council

Appendix A – Land Purchase Plan



Appendix B – P01 Site Plan (draft)



The Design Partnership
The Design Partnership
1000 10th Street
New York, NY 10001
Tel: (212) 353-1500

Proposed New Planting Development at Newton Green, Great Danes for

DRAFT FOR COMMENT

Author	Date	Project	Version

RECORD OF DECISIONS – CABINET 25 MAY 2017

<p>Non -Key</p>	<p>Agenda item 6 - Discretionary Rate Relief</p> <p>RESOLVED - to recommend to Full Council that the following, as set out in the main report and Appendix A, which is included below, is approved</p> <p>a. New discretionary rate reliefs</p> <p>i. Supporting Small Businesses Relief</p> <p>ii. Pub Relief</p> <p>b. Revised criteria for Local Rural Rate Relief</p>	<p>Reasons:</p> <p>The discretionary rate reliefs will provide relief for small businesses and pubs.</p> <p>Revised criteria will enable Members to establish a scheme that is fair and targets those businesses who facing financial hardship due to their revaluation.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 7 – Planning Performance Agreements</p> <p>RESOLVED - to</p> <p>a. endorse the offer to applicants for major development the option of a Planning Performance Agreement.</p> <p>b. authorise the Assistant Director – Planning to negotiate terms for and to enter into Planning Performance Agreements with individual developers</p>	<p>Reasons:</p> <p>The Council will commit to a bespoke project timetable for pre application advice, determination of a planning application, and dealing with post decision matters, improving customer service for applicants.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether</p>

Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 25 MAY 2017

		dispensation is in existence for that interest: N/A
Key	<p>Agenda item 8 – Private Sector Housing Strategy</p> <p>RESOLVED - to approve the Private Sector Housing Strategy, attached as Appendix A to the report in the agenda pack, to be implemented with effect from 1st June 2017</p>	<p>Reasons:</p> <p>To enable the Council to respond to recent housing stock profiling and adopt a strategy to complement the wider strategic housing functions of the Council.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.</p>
Key	<p>Agenda item 9 – Home Repairs Assistance Policy</p> <p>RESOLVED - to approve:</p> <p>a) the new Home Repairs Assistance Policy 2017, attached as Appendix A to the report in the agenda pack, to be implemented with effect from 1st July 2017</p> <p>b) transition arrangements for customers who are being dealt with under the existing Policy that will ensure applications submitted prior to 1st July 2017 are honoured in accordance with the former policy conditions</p>	<p>Reasons:</p> <p>To broaden the Council’s ability to work with partners and deliver on a variety of schemes and initiatives to improve poor housing that ultimately aims to improve the health and wellbeing of residents.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>

Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 25 MAY 2017

Key	<p>Agenda item 10 – Uttlesford Health and Wellbeing Strategy</p> <p>RESOLVED - to endorse and support the Uttlesford Health & Wellbeing Strategy, attached as Appendix A to the report in the agenda pack, to be implemented with effect from 1st June 2017.</p>	<p>Reasons:</p> <p>To enable the Council to influence numerous factors associated with ill health and thus work collaboratively to prevent future health-related issues.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 11 – Disposal of Land at De Vigier Avenue, Saffron Walden</p> <p>RESOLVED - to approve</p> <p>a. the disposal of the piece of land known as Asset No.24 – Land at De Vigier Avenue, Saffron Walden</p> <p>b. to delegate authority to the Director of Finance and Corporate Services to agree the terms of the sale.</p>	<p>Reasons:</p> <p>Selling this land will allow it to be incorporated into the adjoining mixed use development site, delivering new homes, space for businesses and open space.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non-key	<p>Agenda item 12 – Appointment of Cabinet</p>	<p>Reasons:</p>

Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 25 MAY 2017

	<p>Working Groups and Representatives on Outside Bodies</p> <p>RESOLVED - to make the proposed appointments to Cabinet Working Groups and outside bodies contained in the report, with the following amendments:</p> <ul style="list-style-type: none"> a. Councillor Dean will fill the vacant position on the Housing Board. b. Councillor Ryles will replace Councillor Redfern on the West Essex Alliance. c. Councillor Ranger will be added to the membership of the Museum Management Working Group. 	<p>The Cabinet is required to undertake an annual review of its working groups and make the annual appointments of member representatives on outside bodies.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non-key	<p>Agenda item 13 - Appointment of a Representative to the North Essex Parking Partnership</p> <p>RESOLVED - to appoint Councillor Ryles to the North Essex Parking Partnership.</p>	<p>Reasons:</p> <p>The Cabinet is required to make an annual appointment to the North Essex Parking Partnership.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 30 May 2017

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RECORD OF DECISIONS – CABINET 25 MAY 2017

Non-key	<p>Agenda item 14 – Appointment of two representatives to the West Essex Wellbeing Joint Committee</p> <p>RESOLVED - to appoint Councillors Ranger and Rolfe to the West Essex Wellbeing Joint Committee.</p>	<p>Reasons:</p> <p>The Cabinet is required to make two annual appointments to the West Essex Wellbeing Joint Committee.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
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Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

APPENDIX A TO ITEM 6 – DISCRETIONARY RATE RELIEF

UTTLESFORD DISTRICT COUNCIL

APPENDIX A

BUSINESS RATES - DISCRETIONARY RATE RELIEF POLICY

EFFECTIVE 1ST JULY 2014

UPDATED 25th May 2017

Policy objectives

1. To support the local economy by providing incentives for occupation of empty premises, encourage business start-up and business expansion within Uttlesford.
2. To support rural communities by providing assistance to businesses operating in rural locations.
3. To contribute to maximising the Council's financial position under the business rates retention scheme by encouraging longer term rateable value growth.

Administration

4. The policy will be administered by the Council's Revenues service, who will determine the relief application process.
5. The Revenues service will determine applications for relief, using the criteria set out in this policy. Applications for the Business Development category of relief will be assessed by the Council's Economic Development Officer who will notify the Revenues service of decisions made. The Council will have discretion to backdate awards of relief to the beginning of the current billing period.
6. Eligibility for relief will typically be based upon objective criteria such as the rateable value, location and nature of an organisation's business. A business's profitability will not ordinarily be a relevant factor for determining eligibility. The intention is for a streamlined process that is simple to administer for both applicants and the Council. The Council shall have the right to request any additional information it considers necessary to determine an application.

Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

7. The over-riding consideration in the determination of any application is that the granting of relief must be judged to be in the wider interests of the Uttlesford community and its council tax payers.
8. Appeals against unsuccessful applications for relief will be determined by the Section 151 Officer, whose decision shall be final. There shall be no further right of appeal.
9. The granting of discretionary relief will typically be on a rolling one-year basis so that the Council has the agility to adjust the policy to reflect changing needs and circumstances. However the Council reserve the right to make in year adjustments should the businesses circumstances change and the qualifying criteria for the award are no longer met.
10. The policy will be subject to annual review and approval by the Cabinet.

State Aid Limitations

11. All granting of discretionary rate relief is subject to limitations under applicable State Aid legislation and associated De Minimis Regulations.
12. The Regulations currently allow a business to receive up to 200,000 Euros of state aid over a rolling three year period.
13. In practice, this means that smaller, independent businesses are more likely to be eligible for relief and larger, national businesses (e.g. chain stores) less likely.

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
Supporting Small Businesses relief	For small businesses who are losing some or all of their small business or rural rate relief	Not applicable	To support ratepayers by limiting the amount of rates payable in each year to the greater of ; <ul style="list-style-type: none"> • Cash value of £600 or • The matching cap on increases for small properties in the transitional relief scheme. • The cash minimum increase will stay flat in each year which means that under this scheme by year 5 the eligible ratepayer will not be paying more than £3,000 than they did in 2016/2017

Date of Publication: 30 May 2017

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CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
			<p>LA's will be fully reimbursed under s31 grant</p> <p>Eligibility will <u>not</u> be lost with a change of occupier but will be lost if the property becomes vacant or is occupied by a charity or Community Amateur sports Club</p>
PUB RELIEF	For Pubs with rateable value below £100,000	Not applicable	<ul style="list-style-type: none"> All eligible pubs will receive a £1000 discount on their bill. The government will compensate Local Authorities for the cost of granting the relief through a section 31 grant Currently subject to government consultation
Local Newspaper Relief	Local newspapers occupying office space	Not applicable	<ul style="list-style-type: none"> One discount per newspaper title Discount of £1500 2 years only from the 1st April 2017 S31 grant
Rural Rate Relief	Within a rural settlement with a population below 3,000, a sole general store, post office, food shop, public house or petrol station	<p>Within a rural settlement with a population below 3,000, the following will receive 100% mandatory rate relief:</p> <ul style="list-style-type: none"> A sole general store, post office or food shop with a RV of less £8,500 A sole public house or petrol station with a RV of less than 	<p>Within a rural settlement with a population below 3,000:</p> <ul style="list-style-type: none"> A sole general store, post office, food shop, public house or petrol station with an RV exceeding the stated thresholds, but with an RV of up to £16,500, may be considered for up to 100% discretionary rate relief.

Date of Publication: 30 May 2017

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CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
		£12,500	<ul style="list-style-type: none"> NEW FOR 2017/18: A sole general store, post office, food shop, public house or petrol station with an RV of between £16,501 and £27,500 may be considered for 100% discretionary rate relief up to the value of the £16,500 RV level. For example, a qualifying business with an RV of £18,500 would receive 100% relief up to £16,500 RV and have to pay rates on the remaining £2,000 RV. Discretionary local rural rate relief will be applied after any other applicable reliefs have been deducted.
Charitable relief	Registered charities Registered Community Amateur Sports Clubs Community Interest Companies	Charities and Registered Community Amateur Sports Clubs are entitled to 80% relief where the property is occupied by the Charity or Club and is wholly or mainly used for charitable purposes or as a Registered Community Amateur Sports Club.	Charities and Registered Community Amateur Sports Clubs may be considered for up to 20% discretionary rate relief. From 2014/15: Community Interest Companies that have charitable aims (and use profits for charitable purposes) may be considered for up to 100% discretionary rate relief.
Business Development relief	New non-retail SME businesses starting up, operating from new premises or premises that have	Not applicable	From 2014/15: Qualifying businesses can be considered for discretionary rate relief of 50% for the first year and 25% for the second year. In the case of enlarged

Date of Publication: 30 May 2017

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CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
	<p>been unoccupied for 12 months*</p> <p>Expanding non-retail SME businesses who enlarge their existing premises, or occupy an additional premises that is new or has been unoccupied for 12 months*</p> <p>*including the conversion of former agricultural buildings</p>		<p>premises, the relief would be on the difference between the rates payable on the original premises and the rates payable on the extended premises.</p> <p>This is subject to demonstrating that:</p> <ul style="list-style-type: none"> • A minimum three year lease / occupancy commitment exists* • The business will endeavour to ensure that at least 50% of the business's employees are Uttlesford residents • The business will endeavour to ensure that at least 25% of the business's supplies and services expenditure is with Uttlesford businesses. <p>*In the event of the business vacating the premises within the first three years, the Council reserves the right to clawback the rate relief granted.</p>
<p>Small Business Rate Relief</p>	<p>Qualifying Businesses with a rateable value of up to £14,999 will receive small business rate relief</p> <p>For properties from 15,000 – 50,999 will have their business rates calculated with the small business rate multiplier</p>	<p>From 1st April 2017 Businesses with an Rateable Value up to £12,000 will receive 100% relief</p> <p>RV £12,000 to £14,999 – 100% relief decreases on a sliding scale by 1% for every £ 30 of RV between £12,000 and £ 14,999.</p> <p>RV £15,000 to £ 51,999 – no relief is</p>	<p>None</p>

Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

CATEGORY OF RELIEF	ELIGIBLE ORGANISATIONS	MANDATORY RELIEF	DISCRETIONARY RELIEF
		allowed but the bill is calculated using the small business multiplier	
Flooding Rate Relief	Businesses whose premises were flooded due to bad weather between 1 December 2013 and 31 March 2014	Not applicable	100% rate relief for three months from the date of the first flooding. (approved by Full Council 27 February 2014)
Unoccupied property rating	Any business	Business rates are not payable in the first three months that a property is empty. This is extended to six months in the case of certain industrial properties. Certain definitions and exemptions apply – please see the website.	None
Hardship Relief	Businesses who are suffering financial hardship because of a one-off event demonstrably beyond their control.	Not applicable	UDC local scheme Discretionary rate relief of up to 100% for a limited period depending on circumstances. Consideration would also be given to deferring payment due dates.

Date of Publication: 30 May 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 6 JULY 2017

<p>Non -Key</p>	<p>Agenda item 5 – Draft Local Plan</p> <p>RESOLVED - to recommend to Full Council that the draft Local Plan be published in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012</p>	<p>Reasons:</p> <p>In pursuance of the Council’s duty to produce a sound and effective Local Plan for the district, that is consistent with national policy and is based on the evidence gathered during the preparation period.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 6 – Local Development Scheme</p> <p>RESOLVED to adopt the Local Development Scheme</p>	<p>Reasons:</p> <p>The decision is needed to update the timetable for the production of the Local Plan.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non Key</p>	<p>Agenda item 7 – Braintree District Council Draft Local Plan Consultation</p> <p>RESOLVED to delegate authority to the Director of Public Services in consultation with the Leader</p>	<p>Reasons:</p> <p>The Council will respond to Braintree District Council’s draft Local Plan because there are significant proposals affecting Uttlesford and because of the Duty to Co-operate. The response to the consultation</p>

Date of Publication: 7 July 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 6 JULY 2017

	and portfolio Holder for Environmental Services to respond formally to Braintree District Council	must be submitted by 28 July and there has not been time to prepare a detailed commentary for consideration by the Cabinet. Other options considered and rejected: none Any interest declared by any member of Cabinet: none. In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.
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Date of Publication: 7 July 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISIONS TO BE MADE UNDER REGULATION 10, The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (GENERAL EXCEPTION)

Notice is hereby given that Uttlesford District Council intends to take a key decision on the item below.

The chairman of the Scrutiny Committee has been informed by notice in writing of the matter about which the decision is to be made.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510430/433 or by contacting committee@uttlesford.gov.uk

CABINET 10 JULY 2017

Details of key decision to be taken	Decision-making body	Date on which decision is to be taken		Part 2	Portfolio Holder	Contact details of officer from whom documents can be obtained
Whether to contribute a grant of £500,000 to a project led by the Army to provide a high quality artificial running track at Debden Barracks	Cabinet	10 July 2017			Communities and Partnership	Simon Pugh, Interim Head of Legal Services – spugh@uttlesford.gov.uk or 01799 510416

Details of key decision to be taken	Decision-making body	Date on which decision is to be taken		Part 2	Portfolio Holder	Contact details of officer from whom documents can be obtained

*** if available, the report to be attached to this notice.

For further information, please contact Democratic Services on 01799 510430 or committee@uttlesford.gov.uk

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISIONS TO BE MADE UNDER REGULATION 10, The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (GENERAL EXCEPTION)

Notice is hereby given that Uttlesford District Council intends to take a key decision on the item below.

The chairman of the Scrutiny Committee has been informed by notice in writing of the matter about which the decision is to be made.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510430/433 or by contacting committee@uttlesford.gov.uk

CABINET 10 JULY 2017

Details of key decision to be taken	Decision-making body	Date on which decision is to be taken		Part 2	Portfolio Holder	Contact details of officer from whom documents can be obtained
Whether to award a grant of £200,000 from developer contributions through section 106 agreements to facilitate a development at Crafton Green, Stansted	Cabinet	10 July 2017			Leader	Gordon Glenday, Assistant Director - Planning T: 01799 510601 E: gglenday@uttlesford.gov.uk

Details of key decision to be taken	Decision-making body	Date on which decision is to be taken		Part 2	Portfolio Holder	Contact details of officer from whom documents can be obtained

*** if available, the report to be attached to this notice.

For further information, please contact Democratic Services on 01799 510430 or committee@uttlesford.gov.uk

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISIONS TO BE MADE UNDER REGULATIONS 5 (PRIVATE MEETINGS)

Uttlesford District Council intends to take a decision on the item below.

Decision to be taken in Part 2

A decision to be taken in private is also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972). Notice is hereby given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 regulations 5(7) (private meetings) that the Chairman of the Scrutiny Committee has agreed that compliance with these regulations is impractical and has agreed that the decision referred to below can be taken in Part 2; and that the decision is urgent and cannot reasonably be deferred.

Reason for urgency

The item is urgent and cannot be deferred because the refurbishment process needs to begin in August.

Reason for Part 2

The information is exempt information under Section 100I of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510430/433 or by contacting committee@uttlesford.gov.uk

CABINET 10 JULY 2017

COUNCIL 25 JULY 2017

Decision to be taken in part 2

Decision	Decision Maker	Date of Decision	Reason for part 2	Portfolio holder	Contact officer from where documents can be obtained
Request from Aspire (CRP) Ltd for Newnham Building refurbishment funds (PART II)	Cabinet Council	10 July 25 July		Cllr Howell	Adrian Webb, Director of Finance and Corporate Services awebb@uttlesford.gov.uk

RECORD OF DECISIONS – CABINET 10 JULY 2017

Non -Key	<p>Agenda item 7 - 2016/17 Budget Outturn</p> <p>RESOLVED to:</p> <ul style="list-style-type: none"> • Approve the 2016/17 outturn position set out in the report • Approve the reserve transfers and reserve balances set out in the report • Approve the Capital Programme slippage requests 	<p>Reasons: To set out the Council’s financial performance for 2016/17 and the level of reserves as at 31 March 2017 to enable final accounts to be submitted to the Governance, Performance and Audit Committee for approval.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 8 – 2016/17 Treasury Management Outturn</p> <p>RESOLVED to approve the 2016/17 Treasury Management Outturn as set out in the report.</p>	<p>Reasons: In accordance with the requirement in the Constitution to receive an annual statement of the key treasury management activity and outcomes during the year.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 9 – 2018/19 Local Council Tax Support Scheme (LCTS)</p> <p>RESOLVED to agree proposals for the 2018/19 LCTS scheme and consultation process as</p>	<p>Reasons: In accordance with the requirement to review annually and propose any changes to the LCTS before submitting it for public consultation. The final scheme will then be recommended to Council for approval in December 2017.</p>

Date of Publication: 12 July 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 10 JULY 2017

	<p>follows:</p> <ul style="list-style-type: none"> i. The 2018/19 LCTS scheme is set on the same basis as the 2017/18 scheme and therefore the contribution rate is frozen for the fourth consecutive year. ii. The Council continues to protect vulnerable and disabled residents and carers on a low income. iii. The discretionary grant for town and parish councils is withdrawn. 	<p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.</p>
<p>Non Key</p>	<p>Agenda item 10 – Business Rates – Revaluation Relief</p> <p>RESOLVED to recommend to Council approval of the Revaluation Relief Funding Scheme as detailed in the report.</p>	<p>Reasons: Following the national revaluation of all commercial premises from 1 April 2017, the Government introduced new rate reliefs to be administered by local authorities using discretionary powers. The proposed scheme will cover a period of three years with relief awarded on a reducing tapered basis to businesses having a rateable value of less than £200,000 and having suffered increases of 12.5% or more.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>

Date of Publication: 12 July 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 10 JULY 2017

Non Key	<p>Agenda item 11 – Local Heritage List of Non-designated Heritage Assets</p> <p>RESOLVED to approve for publication the proposed selection criteria and methodology, along with the nomination form to be made available on the website, and to enable proactive work to compile and manage the local heritage list.</p>	<p>Reasons: To introduce criteria to enable the identification and management of non-designated heritage assets in Uttlesford.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 12 – Buildings at Risk Register</p> <p>RESOLVED to note and endorse the approach being adopted to deal with listed buildings at risk within the district, and enable them to be brought back into use.</p>	<p>Reasons: To provide an update on listed buildings at risk and the work being undertaken to protect and restore them.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non - key	<p>Agenda item 13A – Nomination for The Crown Public House to be listed as an Asset of Community Value</p> <p>RESOLVED to approve the nomination of The Crown Public House as an Asset of Community Value.</p>	<p>Reasons: To recognise the social and community value of The Crown Public House.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 12 July 2017

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RECORD OF DECISIONS – CABINET 10 JULY 2017

<p>Non Key</p>	<p>Agenda item 13B – Asset of Community Value Nomination for The Black Lion, High Roding</p> <p>RESOLVED that the Leader and the Portfolio Holders for Environmental Services and Communities and Partnerships be given delegated authority to determine the nomination of The Black Lion as an Asset of Community Value.</p>	<p>Reasons: To enable the nomination to be determined by the due date of 14 August 2017.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Key decision</p>	<p>Agenda item 14 – Carver Barracks Sports Project</p> <p>RESOLVED that:</p> <ul style="list-style-type: none"> i. Subject to approval by the Council, as previously agreed, allocate the sum of £500,000 to Carver Barracks to enable match funding for the provision of an eight lane running track. ii. Authorise the Director of Finance and Corporate Services and the Head of Legal Services, in consultation with the Portfolio Holder for Communities and Partnerships, and with Councillors Artus and Knight, to agree the terms of the grant. 	<p>Reasons: To enable match funding to allow this project to proceed, with provision made for a refund to be made for each complete year that the facility becomes unavailable for use before 2031 if Carver Barracks closes before the scheduled date.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of the Cabinet: Councillor Barker declared a prejudicial interest as the matter comes within her remit as a portfolio holder at Essex County Council. She left the room before consideration of the item and took no part in the discussion or voting.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: No</p>

Date of Publication: 12 July 2017

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RECORD OF DECISIONS – CABINET 10 JULY 2017

<p>Key decision</p>	<p>Agenda item 15 – S106 Community Pot, Stansted</p> <p>RESOLVED that:</p> <ul style="list-style-type: none"> i. Subject to the agreement of the developer, a sum of £200,000 is allocated to Stansted Parish Council to fund the release of all “reserved rights” held by a third party over all of the Parish Council owned land at Crafton Green. ii. The allocation of £52,290 for the skateboard park is removed and the monies added back to the available pot of money. <p>The Cabinet noted that the Parish Council had given a written undertaking to provide a replacement pot of money to be made available for projects at Forest Hall Park and endorsed this approach.</p>	<p>Reasons: To enable proposed community projects at Forest Hall Park intended to be funded from the S106 allocation to proceed.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of the Cabinet: Councillor Barker declared a prejudicial interest as the matter comes within her remit as a portfolio holder at Essex County Council. She remained out of the room for the consideration of this item and took no part in the discussion or voting.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: No</p>
<p>Non Key</p>	<p>Agenda item 16 – Appointment of Aspire (CRP) Limited Non-Executive Directors</p> <p>RESOLVED to appoint Mary Archer and Alan Jones as Non-Executive Directors on the board of Aspire (CRP) Limited.</p>	<p>Reasons: To carry out the Council’s request to have two Non-Executive Directors on the board of Aspire.</p> <p>Other options considered and rejected: none although a recruitment and interview process was carried out to select the two appointed candidates.</p>

Date of Publication: 12 July 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 10 JULY 2017

		<p>Any interest declared by any member of Cabinet: none. In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 19 – Aspire (CRP) Ltd Request for Building Refurbishment Funds Note: this is a Part 2 Exempt Information item RESOLVED to recommend to Council that a loan of up to £2.75m is provided to Aspire (CRP) Ltd to enable the redevelopment of the Newnham Building, and:</p> <ul style="list-style-type: none"> a) The loan is on the same terms as that of the main loan with the same repayment date; and b) that power is delegated to the Assistant Director – Resources to determine the most appropriate method of funding in consultation with the Portfolio Holder for Finance. 	<p>Reasons: To enable the proposed project to proceed. Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none. In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 12 July 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – ASSET OF COMMUNITY VALUE - CABINET SUBCOMMITTEE 7 AUGUST 2017

Non - key	<p>Agenda item 3 – Nomination for The Black Lion Public House, High Roding to be listed as an Asset of Community Value</p> <p>RESOLVED to approve the nomination of The Black Lion Public House as an Asset of Community Value.</p>	<p>Reasons: To recognise the social and community value of The Black Lion Public House.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
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Date of Publication: 8 August 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which are likely to

- Result in expenditure or savings which are significant having regard to the budget for the service or function to which the decision relates.
- Be significant in terms of the effect on communities living or working in an area comprising two or more wards in the district.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510369/430/433 or by contacting committee@uttlesford.gov.uk

CABINET 7 September 2017

Key Decisions

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
Disposal of land at De Vigier Avenue	Cabinet	7 Sept	To consider representations, if any, following the advertisement under s123 of the Local Government Act 1972 to dispose of land designated as public open space.	Cllr Howell	Adrian Webb – Director of Finance and Corporate Services
Saffron Walden Culvert Scheme	Cabinet	7 Sept	To consider the Saffron Walden Culvert Scheme.	Cllr Barker	Roger Harborough – Director of Public Services

Decisions to be taken in private

None

Private Decision	Brief details - for information	Decision maker	Date	Reason for decision to be taken in private	Portfolio Holder	Contact officer from where the documents can be obtained

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION TO BE MADE UNDER REGULATION 10 (General Exception)

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Uttlesford District Council intends to take a key decision in private on the issue set out overleaf.

Key decisions are decisions which are likely to

- Result in expenditure or savings which are significant having regard to the budget for the service or function to which the decision relates.
- Be significant in terms of the effect on communities living or working in an area comprising two or more wards in the district.

The decision is to be taken in private as specific exemptions apply under Schedule 12A of the Local Government Act 1972.

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510369/430/433 or by contacting committee@uttlesford.gov.uk

CABINET 7 September 2017

Key decision to be taken in private

Private Decision	Brief details - for information	Decision maker	Date	Reason for decision to be taken in private	Portfolio Holder	Contact officer from where the documents can be obtained
Right to Buy Receipts	To consider the future use and spend of Right to Buy receipts	Cabinet	7 September 2017	<p>The information is exempt from publication in that the exemption outweighs the public interest in disclosing the information; the exemption category is:</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) (paragraph 3 of Schedule 12A of the Local Government Act 1972).</p> <p>The commercial information provided is confidential because it relates to prices negotiated by a third party on a S106 site and might prejudice the council's negotiation position on the purchase of future properties</p>	Cllr Redfern	Judith Snares – Housing Needs and Landlord Supervisor

The Chairman of the Scrutiny Committee has agreed that compliance with the “procedures prior to a private meeting” listed in paragraph 5 is impractical, and that in accordance with paragraph 6, a decision cannot reasonably be deferred.

RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

<p>Non Key</p>	<p>Agenda item 7 - Budget Monitoring Report: Quarter 1 2017/18</p> <p>RESOLVED to:</p> <p>1 note and approve the outturn forecast position</p> <p>2 approve the reserve transfers as follows:</p> <ul style="list-style-type: none"> - The 2016/17 underspend of £691,000 has been allocated from the SIF to the Planning Reserve; the planning reserve balance at 1 April 2017 was £73,000. Following the transfer the updated balance is £764,000 on the planning reserve and £2,767,000 remains in the SIF. - A drawdown from the planning reserve to cover the cost of the additional resource at £260,000 leaves a balance of £504,000. - The reserve in year drawdown to support specific areas or projects has increased by a net £177,000. This is made up of the following items: <ul style="list-style-type: none"> - I. £260,000 to fund the increase in planning resources plus £15,000 for 	<p>Reasons: To monitor financial performance of the Council's general fund, housing revenue account, capital programme and treasury management.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
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Date of Publication: 11 September 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	<p>Neighbourhood plans</p> <ul style="list-style-type: none"> - II. £63,000 funding for the current Economic Development Strategy to support the Viability and Vitality of Town Centres, plus £10,000 for a joint initiative project. - III. £58,000 funding for the continued rollout of the new HR and Payroll system - IV. £135,000 has been transferred to the reserves relating to unused management consultancy and the PFI. - V. £118,000 adjustment to the working balance (unusable reserve), this reserve is a statutory requirement and is based on a specific formula. 	
Non Key	<p>Agenda item 8 – Corporate Plan Delivery Plan Progress Update: Quarter 1 2017/18</p> <p>To note progress against the corporate plan delivery plan.</p>	<p>Reasons: to update Cabinet on progress against each element of the Corporate Plan Delivery Plan.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 11 September 2017

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

<p>Key</p>	<p>Agenda item 9 – Land at De Vigier Avenue, Saffron Walden</p> <p>RESOLVED</p> <p>a) that the land at De Vigier Avenue is no longer required for its current purpose as public open space;</p> <p>b) to approve the appropriation of this piece of land for planning purposes under S122 Local Government Act 1972;</p> <p>c) approve the disposal of the land for planning purposes under S233 Town and Country Planning Act 1990; and instruct the Director of Finance and Corporate Services to agree the terms of the sale and complete the disposal process.</p> <p>NOTICE GIVEN OF INTENTION TO CALL IN</p>	<p>Reasons: as part of statutory process, having given due consideration to all representations received, to incorporate the land into the adjoining mixed use development site, providing new homes, areas for business and open space; the development of the adjoining site provides a one-off opportunity to maximise the potential use of the land; thereby bringing the land into use, in the public interest, by allowing for provision of new homes, for which there is a need. In addition there is potential for generating a significant capital receipt for the Council, which is a public benefit and a matter which the Council should consider, given its general fiduciary duty.</p> <p>Other options considered and rejected: (1) a proposal that ownership be transferred to Saffron Walden Town Council for a nominal sum with a view to Town Council’s future retention of the land as public open space; (2) a proposal that the District Council should not appropriate the land for planning purposes but keep the land as public open space</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.</p>
<p>Non Key</p>	<p>Agenda item 11 – consideration of an item containing exempt information</p> <p>RESOLVED to exclude the public and press from the following item of business on the grounds that</p>	<p>Reasons: as the public interest in maintaining an exemption for the following agenda item outweighs the public interest in disclosing the information.</p>

Date of Publication: 11 September 2017

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	<p>it involves the likely disclosure of exempt information as defined in section 100 I and paragraph 3 of Schedule 12A of the Local Government Act 1972.</p>	<p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>
Key	<p>Agenda item 12 – Use of Right to Buy Receipts</p> <p>RESOLVED to approve the recommendations of the exempt from publication report.</p>	<p>Reasons: as detailed during consideration of the item.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 11 September 2017

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

<p>Non Key</p>	<p>Agenda item 7 - Budget Monitoring Report: Quarter 1 2017/18</p> <p>RESOLVED to:</p> <p>1 note and approve the outturn forecast position</p> <p>2 approve the reserve transfers as follows:</p> <ul style="list-style-type: none"> - The 2016/17 underspend of £691,000 has been allocated from the SIF to the Planning Reserve; the planning reserve balance at 1 April 2017 was £73,000. Following the transfer the updated balance is £764,000 on the planning reserve and £2,767,000 remains in the SIF. - A drawdown from the planning reserve to cover the cost of the additional resource at £260,000 leaves a balance of £504,000. - The reserve in year drawdown to support specific areas or projects has increased by a net £177,000. This is made up of the following items: <ul style="list-style-type: none"> - I. £260,000 to fund the increase in planning resources plus £15,000 for 	<p>Reasons: To monitor financial performance of the Council's general fund, housing revenue account, capital programme and treasury management.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
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Date of Publication: 11 September 2017

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	<p>Neighbourhood plans</p> <ul style="list-style-type: none"> - II. £63,000 funding for the current Economic Development Strategy to support the Viability and Vitality of Town Centres, plus £10,000 for a joint initiative project. - III. £58,000 funding for the continued rollout of the new HR and Payroll system - IV. £135,000 has been transferred to the reserves relating to unused management consultancy and the PFI. - V. £118,000 adjustment to the working balance (unusable reserve), this reserve is a statutory requirement and is based on a specific formula. 	
Non Key	<p>Agenda item 8 – Corporate Plan Delivery Plan Progress Update: Quarter 1 2017/18</p> <p>To note progress against the corporate plan delivery plan.</p>	<p>Reasons: to update Cabinet on progress against each element of the Corporate Plan Delivery Plan.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 11 September 2017

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

<p>Key</p>	<p>Agenda item 9 – Land at De Vigier Avenue, Saffron Walden</p> <p>RESOLVED</p> <p>a) that the land at De Vigier Avenue is no longer required for its current purpose as public open space;</p> <p>b) to approve the appropriation of this piece of land for planning purposes under S122 Local Government Act 1972;</p> <p>c) approve the disposal of the land for planning purposes under S233 Town and Country Planning Act 1990; and instruct the Director of Finance and Corporate Services to agree the terms of the sale and complete the disposal process.</p> <p>NOTICE OF CALL IN GIVEN WITHIN THE STIPULATED 5 DAY PERIOD. THE SCRUTINY COMMITTEE MET ON 25 SEPTEMBER AND AGREED TO TAKE NO FURTHER ACTION. ACCORDINGLY THE DECISION SET OUT ABOVE COMES INTO IMMEDIATE EFFECT</p>	<p>Reasons: as part of statutory process, having given due consideration to all representations received, to incorporate the land into the adjoining mixed use development site, providing new homes, areas for business and open space; the development of the adjoining site provides a one-off opportunity to maximise the potential use of the land; thereby bringing the land into use, in the public interest, by allowing for provision of new homes, for which there is a need. In addition there is potential for generating a significant capital receipt for the Council, which is a public benefit and a matter which the Council should consider, given its general fiduciary duty.</p> <p>Other options considered and rejected: (1) a proposal that ownership be transferred to Saffron Walden Town Council for a nominal sum with a view to Town Council’s future retention of the land as public open space; (2) a proposal that the District Council should not appropriate the land for planning purposes but keep the land as public open space</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.</p>
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Date of Publication: 11 September 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

Non Key	<p>Agenda item 11 – consideration of an item containing exempt information</p> <p>RESOLVED to exclude the public and press from the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in section 100 I and paragraph 3 of Schedule 12A of the Local Government Act 1972.</p>	<p>Reasons: as the public interest in maintaining an exemption for the following agenda item outweighs the public interest in disclosing the information.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>
Key	<p>Agenda item 12 – Use of Right to Buy Receipts</p> <p>RESOLVED to approve the recommendations of the exempt from publication report.</p>	<p>Reasons: as detailed during consideration of the item.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 11 September 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which are likely to

- Result in expenditure or savings which are significant having regard to the budget for the service or function to which the decision relates.
- Be significant in terms of the effect on communities living or working in an area comprising two or more wards in the district.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510548/430/433 or by contacting committee@uttlesford.gov.uk

CABINET 18 October 2017

Key Decisions

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
West of Braintree Garden Community Development Plan Document	Cabinet	18 Oct	Issues and Options Consultation document in relation to the proposed Garden Community	Cllr Barker	Philip Bylo – Planning Policy Manager
Grant contribution towards Harlow College’s training and skills facility at Stansted Airport	Cabinet	18 Oct	To enable the facility to be provided without compromising the facility’s specification	Cllr Ranger	Roger Harborough – Director - Public Services
Air Quality Action Plan	Cabinet	18 Oct	To set out the Council’s plans for measures to ensure that the National Air Quality objectives are met in the Saffron Walden Air Quality Management Area.	Cllr Barker	Marcus Watts –Environmental Protection Team Leader
Corporate Enforcement Strategy	Cabinet	18 Oct	Consideration of a revised draft corporate enforcement strategy	Cllr Howell	Simon Pugh – Head of Legal Services

Key Decision Notice – Published 19 September 2017

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
Saffron Walden Culvert Scheme	Cabinet	18 October	To consider whether the council should establish a partnership of the riparian owners of the Saffron Walden Culvert Scheme to address the ongoing maintenance of the culvert on completion of the capital works being commissioned by the Environment Agency.	Cllr Barker	Roger Harborough – Director - Public Services

Decisions to be taken in private

None

Private Decision	Brief details - for information	Decision maker	Date	Reason for decision to be taken in private	Portfolio Holder	Contact officer from where the documents can be obtained
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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

<p>Non Key</p>	<p>Agenda item 7 - 100% Business Rates Retention, Essex Pilot Scheme</p> <p>RESOLVED:</p> <p>To approve that delegated authority be given to the Director of Finance and Corporate Services (S151 Officer) in consultation with the Cabinet Member for Finance and Administration to agree the terms for an Essex application to become a Pilot area for 100% Business Rates Retention Scheme in 2018/19.</p> <p>If the pilot application does not succeed, agree the terms of an extended Essex Business Rates Pool instead.</p>	<p>Reasons: To allow for 100% of business rates growth above the baseline need to be retained. Initial predictions had shown that the pilot would offer the potential of a high level of rewards.</p> <p>Other options considered and rejected: None but note the fall-back position if the pilot application is not approved.</p> <p>Any interest declared by any member of Cabinet: Councillor Susan Barker declared a non-pecuniary interest as an Essex County Councillor</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>
<p>Key</p>	<p>Agenda item 8 – Grant for Harlow College</p> <p>RESOLVED:</p> <p>To approve that the Council make a capital grant of up to £300,000 towards the provision of the proposed Technical and Professional College at Stansted Airport, subject to Harlow College providing a statement of the need for the amount of funding required up to the £300,000 cap and</p>	<p>Reasons: To assist in the education and training of approximately 530 young people and adults per year.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>

Date of Publication: 20 October 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	acknowledging the council as a supporter of the project.	
Key	<p>Agenda item 9 – Air Quality Action Plan</p> <p>RESOLVED: To approve the Air Quality Action Plan as a working document over the 5 year life of the plan.</p>	<p>Reasons: To create an Air Quality Action Plan for the Air Quality Management Area.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a.</p>
Non Key	<p>Agenda item 10 – Article 4 Direction for Local Heritage List</p> <p>RESOLVED: To withdraw the item for further discussion with officers and to provide further clarification.</p>	<p>Reasons: To provide further clarity regarding the benefits of the report's recommendations.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: Councillors Redfern and Rolfe declared interests as owners of properties with Article 4 directions.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>
Key	<p>Agenda item 11 – Review of Enforcement</p>	<p>Reasons: To create a new corporate enforcement policy and various service enforcement policies.</p>

Date of Publication: 20 October 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	<p>RESOLVED:</p> <p>To approve the draft enforcement policies annexed to this report, subject to authorising officers to carry out further work to ensure consistent presentation and layout.</p>	<p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non-key	<p>Agenda item 12 – Street Naming and Numbering Policy</p> <p>RESOLVED:</p> <p>To approve the proposed policy attached to this report as a consultation draft, subject to the following amendments:</p> <ul style="list-style-type: none"> a) Paragraph 6.3.7 to read: The use of a name which relates to people should be avoided if possible. Only in very exceptional circumstances would such a suggestion be given consideration. It is essential that the person put forward either lived in, or had a very close connection with, the town or village in question. The final decision will be to the discretion of the Assistant Director Planning. b) Paragraph 6.3.13 to include the term yard 	<p>Reasons: The previously approved draft policy had since been extensively revised by the Scrutiny Committee.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>

Date of Publication: 20 October 2017

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	<p>in the list of possible suffixes. c) Paragraph 6.3.16 to be deleted.</p>	
Key	<p>Agenda item 13 – Saffron Walden Town Centre Culvert Partnership</p> <p>RESOLVED:</p> <p>To explore the willingness of all the riparian owners to cooperate over jointly building up a revenue fund using owners' contributions to monitor the condition of the structure. Subject to the participation of the owners, the Council would hold the revenue fund for periodic monitoring of the condition of the culvert and any necessary maintenance works over the 25 year period that the full repair scheme is expected to remain effective, and any necessary repairs at the end of the 25 year period.</p>	<p>Reasons: The Council, as a flood management authority, had been asked to take on a continuing role to monitor the need for repair and renovation.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>
Key	<p>Agenda Item 14 – West of Braintree Garden Community Plan: Issues and Options</p> <p>RESOLVED:</p> <p>a) That Cabinet agree the appended West of Braintree Garden Community Plan Issues and Options document for public</p>	<p>Reasons: A Draft Regulation 18 Issues and Options Document providing further information about the proposed Garden Community had been prepared and needed public consultation.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether</p>

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RECORD OF DECISIONS – CABINET 7 SEPTEMBER 2017

	<p>consultation, subject to the amendments suggested by the Planning Policy Working Group on 17 October 2017.</p> <p>b) That the Director of Public Services be given authority to make final minor amendments to the West of Braintree Garden Community Plan Issues and Options document following consultation with the Leader.</p>	<p>dispensation is in existence for that interest: n/a</p>
Non-key	<p>Agenda item 15 – Planning for the Right Homes in the Right Places: Consultation Proposals</p> <p>RESOLVED:</p> <p>That Cabinet note the publication of the government’s proposals “Planning for the right homes in the right places” and endorse the Draft response to government set out at Appendix A. Any changes to the response subsequent to Cabinet should be agreed by the Leader and the Chief Executive.</p>	<p>Reasons: To respond to the Government’s consultation proposals: Planning for the right homes in the right places.</p> <p>Other options considered and rejected: none</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>

Date of Publication: 20 October 2017

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UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which:

- Are likely to result in the Council incurring expenditure or making savings in excess of £100,000 subject to the following:
 - Decisions on the acquisition or disposal of land or of an interest in land will be key decisions if their value exceeds £500,000¹.
- Are likely to be significant in terms of its effects on communities living or working in Uttlesford.
- Relate to the adoption or revision of plans and policies which would have a significant impact on the way in which the Council carries out its statutory functions.
- Relates to consideration by the Cabinet of proposals which would have a significant impact on the provision of services to the public or on the operational management of the Council.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510430/433/369/548 or by contacting committee@uttlesford.gov.uk

¹ Please note, the following are not key decisions:

- Loans or borrowing decisions made in accordance with the Treasury Management Policy.
- Decisions relating to the engagement of staff unless falling within paragraph 4.
- Contract awards or renewals for vehicles, plant, machinery, goods, supplies and services where budget provision has been made and the award or renewal is within budget.
- Contract awards where the decision to let the contract has already been treated as a key decision.

CABINET 30 November 2017

Key Decisions

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
Local Council Tax Support Scheme	Cabinet	30 Nov	To determine the Local Council Tax Support Scheme for the financial year 2018/19.	Cllr Howell	Angela Knight – Assistant Director - Resources
Potential Increases to Planning Application Fees	Cabinet	30 Nov	To determine whether to increase planning application fees by 20% in line with Government legislation.	Cllr Barker	Ann Howells – Support and Business Manager

Decisions to be taken in private

None

RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

Key	<p>Agenda item 10 – Local Council Tax Support Scheme and Consultation 2018-19</p> <p>RESOLVED to recommend for approval to Full Council the proposals for the 2018/19 LCTS scheme:</p> <ul style="list-style-type: none"> i. The 2018/19 LCTS scheme is set on the same basis as the 2017/18 scheme and therefore the contribution rate is frozen for the fifth consecutive year. ii. The Council continues to protect Vulnerable and Disabled Residents and Carers on a low income. iii. The discretionary subsidy grant for Town & Parish councils is withdrawn. 	<p>Reasons: under the requirement to review the scheme annually and to consider changes for the following year; to retain a contribution rate of 12.5% for working age people previously on full Council Tax Benefit, taking into account the risk of a decline in the collection rate should the contribution rate be increased, and acknowledging the desirability of continuing to support working age people in Uttlesford by keeping the rate as low as feasible; to continue to protect vulnerable and disabled residents and carers on low incomes; and to withdraw the discretionary subsidy grant for Town and Parish councils, so as to reflect the withdrawal in 2018/19 of the revenue support grant received by the Council.</p> <p>Other options considered and rejected: an increase in the percentage contribution of Working Age claimants was considered, as the report set out projected impact for increases to 12.5%, 15%, 17.5% and 20%.</p> <p>Any interest declared by any member of Cabinet: Cllr Barker declared an interest as a Member of Essex County Council.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non Key	<p>Agenda item 11 – Revision to Museum Fees and Charges</p> <p>1. RESOLVED to approve the following recommendations from the Museum</p>	<p>Reasons: to generate an appropriate level of income in relation to a new service whereby the Learning & Outreach Officer would attend school sites to deliver taught sessions, and to reflect improvements to the Museum’s loan boxes and replicas. It was considered the charges</p>

Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	<p>Management Working Group:</p> <ul style="list-style-type: none"> • The fees for schools as set out below • The revised loan box charge as set out below • That delegated authority be given to the Section 151 Officer to approve variations to published entrance fees, in consultation with the Curator. Any variations to be reported quarterly to the Museum Management Working Group. <p>2. Fees for schools: Visit from the Learning & Outreach Officer to bring objects and specimens from the education & handling collection to the school and deliver a taught session in the school classroom: to be charged at £120 (£100 + £20 VAT) for a morning and £210 (£175 + £35 VAT) for a full day. These charges would apply to schools in Uttlesford and/or within 20 miles of Saffron Walden by road. Special requests to be priced according to costs of travel and staff-time.</p> <p>3. Schools Loans Boxes: to raise the loan box charge from £12 per half-term to raise this to</p>	<p>would still be competitive compared to other museum services in Essex, and should remain affordable for local village schools.</p> <p>Other options considered and rejected: not to increase such charges.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: n/a</p>
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Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	£18 (£15 + £3 VAT)	
Non-Key	<p>Agenda item 12 – Brownfield Land Register</p> <p>RESOLVED That the Assistant Director – Planning in consultation with the Cabinet Member for Environment Services is given delegated authority to compile the initial version of Part 1 of the Council’s Brownfield land register for publication.</p>	<p>Reasons: in compliance with the Brownfield Land Register Regulations 2017, and to enable the compilation of the register by the appropriate officer.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non-Key	<p>Agenda item 13 – Nominations for Assets of Community Value</p> <p>RESOLVED</p> <p>1 To approve the inclusion in the assets of community value list of the following properties:</p> <ul style="list-style-type: none"> • Broxted Village Hall • Great Canfield Cricket Club • Great Canfield Village Hall • Newton Green Great Dunmow • Rowena Davey Centre, Great Dunmow 	<p>Reasons: in accordance with the Localism Act 2011, section 87, to maintain the list of land in the Council’s area that is land of community value, including the determination of re-nominated assets which following their inclusion in 2012 were due to be removed from the list after five years.</p> <p>In respect of those properties which were accepted for inclusion on the list of assets of community value, the reasons were that in the opinion of the Cabinet, either an actual current use of the building or land that was not an ancillary use furthered the social wellbeing or social interests of the local community, and it was realistic to think that there could continue to be non-ancillary use of the building or land which would further the social wellbeing or social interests of the local community; or there was a time in the recent past when an actual use of the building or other land that was not an ancillary use</p>

Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	<ul style="list-style-type: none"> • Great Dunmow Maltings • Dunmow Community Hub • The Former Library Great Dunmow • Kings Head, Hadstock • Village Recreation Ground, Hadstock • Village Green Hadstock • Village Hall Hadstock • Bluebell Inn Hempstead • The Village Green, Hempstead • The Bull Public House, Langley • The George Public House, Little Hallingbury • Little Hallingbury Village Hall • Rickling Green Primary School • Rickling Ramblers Cricket Pavilion, Rickling Green • The Cricketers Arms, Rickling Green • Rickling Village Green • Quendon and Rickling Village Hall • The Village Fountain, Quendon 	<p>furthered the social wellbeing or interests of the local community, and it was realistic to think that there was a time in the next five years when there could be non-ancillary use of the building or land that would further the social wellbeing or social interests of the local community.</p> <p>In respect of the following properties, the reasons for rejection were as stated below:</p> <p>Land adjacent north of Threeways, and south of Limetree Hill, Great Dunmow: there was insufficient evidence to conclude that a primary use of the land furthered the social wellbeing and social interests of the community.</p> <p>Post Office : the Post Office was exempt from listing as it was classed as “operational land” of Post Office Limited.</p> <p>St Giles Church, Great Hallingbury, St Mary’s Church, Little Hallingbury, St Margaret of Antioch Parish Church, All Saints Church, Rickling and St Simon and St Jude’s Church, Quendon: there was legal authority that religious observance was not a use that qualified a building for listing as an asset of community value and there was no clear evidence of another use that was not ancillary that would qualify.</p> <p>In respect of Quendon Hall and Parkland, and In respect of the two properties where determination was deferred,</p>
	2 To reject the nomination of the following	

Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	<p>properties:</p> <ul style="list-style-type: none"> • Land adjacent north of Threeways, and south of Limetree Hill, Great Dunmow • Post Office, High Street, Great Dunmow • St Giles Church, Great Hallingbury • St Mary’s Church, Little Hallingbury • St Margaret of Antioch Parish Church • All Saints Church, Rickling Green • St Simon and St Jude’s Church, Quendon • Quendon Hall and Parkland • Quendon Woods <p>3 To defer the determination of the following properties, such determination to be delegated to an Assets of Community Value Sub-Committee, comprising the Leader, the Cabinet Member for Environmental Services and the Cabinet Member for Communities and Partnerships:</p> <ul style="list-style-type: none"> • Hop Poles Public House, Great Hallingbury 	<p>the reason was that the primary use of the Hall as a private wedding venue was not a use of the land which furthered the social wellbeing and social interests of the community, and that there was little or no evidence of any other non-ancillary use that met that requirement; and in respect of the Woods, that there was not sufficient evidence to conclude that a primary use of the land furthered the social wellbeing and social interests of the community.</p> <p>The deferral of determination of two properties, was to enable more detailed consideration of the use of the nominations.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
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Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	<ul style="list-style-type: none"> • Chalky Meadows, Thaxted 	
Non-Key	Agenda item 14 – Writing off debts –	Reasons: to reduce the need for reports to be submitted to Cabinet for decision, saving officer time in preparation and help ensure the

Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	<p>delegation to Director of Finance and Corporate Services</p> <p>RESOLVED that the write off limit in paragraph 11.4 of the Financial Procedure Rules is increased from £5,000 to £10,000, to read:</p> <p><i>Bad debts of up to £10,000 shall be written off by the Chief Financial Officer, having ascertained that all reasonable steps have been taken to recover the debt and that it would be uneconomical to pursue the debt further. Cabinet approval is required to write off bad debts in excess of £10,000.</i></p>	<p>Cabinet focused on strategic and major issues.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Key	<p>Agenda item 15 – Draft Statutory Instrument The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017</p> <p>RESOLVED to approve a 20% increase in planning application fees as set out in the Draft Statutory Instruments 2017 No. (see link</p>	<p>Reasons: to exercise discretion under the regulations to charge the fees permitted.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 4 December 2017

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RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

	below) with effect from the date to be set out in the regulations, and commits to investing the additional income in the planning service.	
Non-Key	<p>Agenda item 17 – Garden Communities Delivery</p> <p>RESOLVED to</p> <p>(a) Note the action to date and the approach to be undertaken.</p> <p>(b) Authorise the establishment of Uttlesford Garden Communities Limited and appoint Adrian Webb as the interim Director.</p> <p>(c) Allocate the sum of £50,000 from the forecast 2017/18 budget underspend to fund the first stage of the delivery process.</p>	<p>Reasons: as part of the Local Plan process, to enable the Council to provide a delivery mechanism, a wholly owned subsidiary company, in relation to the delivery of three new Garden Communities proposed in the Council's draft Regulation 18 Local Plan taking into account the scale of the proposals and the timescale required.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
Non-Key	<p>Agenda item 16 – Transfer of Land at Station Road, Wendens Ambo</p> <p>RESOLVED to transfer land at Station Road, Wendens Ambo to Wendens Ambo Parish Council for nil value.</p>	<p>Reasons: in response to a request from Wendens Ambo parish council, that it should take ownership and maintenance of the area, in accordance with the Council's asset management strategy, that it should devolve to local people where appropriate the responsibility for owning and maintaining assets.</p> <p>Other options considered and rejected: none.</p> <p>Any interest declared by any member of Cabinet: none</p>

Date of Publication: 4 December 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – CABINET 30 NOVEMBER 2017

		In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A
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Date of Publication: 4 December 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS – ASSET OF COMMUNITY VALUE - CABINET SUBCOMMITTEE 14 DECEMBER 2017

<p>Non - key</p>	<p>Agenda item 3 – Nomination of Chalky Meadow, Thaxted to be listed as an asset of community value</p> <p>RESOLVED to reject the nomination of Chalky Meadow as an Asset of Community Value.</p>	<p>Reasons: Does not meet the qualifying criteria to be approved as an Asset of Community Value.</p> <p>Other options considered and rejected: N/A</p> <p>Any interest declared by any member of Sub-Committee: Councillor Barker declared a non-pecuniary interest as a Member of Essex County Council.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>
<p>Non - key</p>	<p>Agenda item 4 – Nomination of Hop Poles, Great Hallingbury to be listed as an asset of community value</p> <p>RESOLVED to approve the nomination of Hop Poles as an Asset of Community Value.</p>	<p>Reasons: To recognise the social and community value of The Hop Poles, Great Hallingbury.</p> <p>Other options considered and rejected: N/A</p> <p>Any interest declared by any member of Sub-Committee: Councillor Barker declared a non-pecuniary interest as a Member of Essex County Council.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A</p>

Date of Publication: 19 December 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

Report to: Leader

Date: 15 December 2017

Title: Urgent Decision on Statement of Common
Ground on North Essex Authorities –
Publication Draft Local Plan
Examination

**Portfolio
Holder:** Cllr Susan Barker

Key decision: **YES**

Summary

1. The North Essex Local Authorities (Braintree District, Colchester Borough and Tendring District Councils) have submitted a Regulation 19 Local Plan and a Public Examination commences in January 2018. A Statement has been prepared to set out how Uttlesford District Council has co-operated with the North Essex Councils on the Local Plan. The Statement also sets out the approach that Councils will take if the proposed West of Braintree Garden Community forms part of the forthcoming Uttlesford Regulation 19 Local Plan.
2. The matter is being dealt with as an urgent general exception decision by the Leader given the imminent start of the Public Examination and the importance of providing clarity to the Local Plan Inspector about the position of the four local authorities.

Decision

3. That the Leader endorses the Statement of Common Ground appended to this report.

Gordon Glenday

Assistant Director of Planning

North Essex Authorities – Publication Draft Local Plan Examination

Statement of Common Ground agreed between North Essex Authorities (Braintree District Council, Colchester Borough Council and Tendring District Council) and Uttlesford District Council

Introduction

This Statement of Common Ground has been prepared jointly between the parties consisting of Braintree District Council, Colchester Borough Council, Tendring District Council (collectively known as the North Essex Authorities) and Uttlesford District Council.

The Statement sets out the confirmed points of agreement between the North Essex Authorities and Uttlesford District Council with regard to the submitted Publication Draft Local Plan Section 1 (2017) (The Plan).

Background

Uttlesford District Council is a neighbouring authority to Braintree District Council and is therefore a statutory consultee for The Plan.

Uttlesford District Council submitted representations to the Local Plan Section 1 which have been given the response numbers S1173/577

Duty to Co-operate

The authorities confirm that there has been active, constructive engagement on an ongoing basis between Uttlesford District Council and the North Essex Authorities and hence the Duty to Co-operate has been met.

Strategic Housing Market Areas

The authorities confirm that they agree that Uttlesford and the North Essex Authorities are within separate housing market areas. The Objectively Assessed Need for Homes will be met for each constituent authority.

Strategic Issues - Transport

The authorities recognise that strategic infrastructure improvements made in one District can support growth, development and economic prospects in other Districts. The local authorities will continue to work with Essex County Council and Highways England to deliver necessary improvements to the M11 junction 8 and the A120 between Braintree and the A12.

West of Braintree Garden Community

Uttlesford District Council acknowledges the allocation of a new garden community within the North Essex local authorities Plan to the West of Braintree, which is located on the border with Uttlesford.

An extension of the West of Braintree Garden Community westwards into Uttlesford was proposed in the Uttlesford regulation 18 Local Plan which was subject to public consultation between 12 July and 4 September 2017.

Uttlesford District Council is yet to make a decision on the contents of their Regulation 19 Local Plan. This is expected in late spring 2018. Subject to this the councils are also committed to develop a 'boundary blind' community where the development would take place on the most appropriate part of the site, regardless of its location within one local authority area or another.

To facilitate the above point, as work progresses on the masterplanning and phasing of the community through the Development Plan Document, a mechanism will be agreed between Braintree District Council and Uttlesford District Council to apportion the homes completed on the site in an equitable manner. Officers will work jointly to prepare this mechanism for formal consideration by both councils.

Work undertaken as part of the Development Plan Document will also include how the garden community can operate as a single community, and not one split down local authority boundaries.

Without prejudice to any decision taken by Uttlesford District Council on the Regulation 19 Local Plan, the councils are committed to working together, to ensure that the proposed Garden Community would come forward as a single coherent new community. To this end the councils have worked together to produce an Issues and Options Development Plan Document for the West of Braintree Garden Community which is currently the subject of a ten week consultation period.

NOTICE OF KEY EXECUTIVE DECISION

Decision maker	Date of decision	Details of Key Decision	Reason	Other options considered and rejected	Conflict of interest declared by any Executive member consulted	Contact officer from where the documents can be obtained
Cllr Rolfe, Leader of the Council	27 December 2017	Endorsement of Statement of Common Ground between Uttlesford District Council and North Essex Local Plan Authorities	The Statement of Common Ground sets out how Uttlesford District Council has co-operated with the North Essex Communities on the Local Plan. The decision was taken by the Leader as a general exception matter given the imminent start of the Public Examination and the importance of providing clarity to the Local Plan Inspector about the position of the four authorities.	None	None	Gordon Glenday – Assistant Director of Planning

Date of Publication: 27 December 2017

A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in

Report to: Leader

Date: 15 December 2017

Title: Urgent Decision on Statement of Common Ground on North Essex Authorities – Publication Draft Local Plan Examination

Portfolio Holder: Cllr Susan Barker

Key decision: **YES**

Summary

1. The North Essex Local Authorities (Braintree District, Colchester Borough and Tendring District Councils) have submitted a Regulation 19 Local Plan and a Public Examination commences in January 2018. A Statement has been prepared to set out how Uttlesford District Council has co-operated with the North Essex Councils on the Local Plan. The Statement also sets out the approach that Councils will take if the proposed West of Braintree Garden Community forms part of the forthcoming Uttlesford Regulation 19 Local Plan.
2. The matter is being dealt with as an urgent decision by the Leader given the imminent start of the Public Examination and the importance of providing clarity to the Local Plan Inspector about the position of the four local authorities.

Decision

3. That the Leader endorses the Statement of Common Ground appended to this report.

Gordon Glenday

Assistant Director of Planning

North Essex Authorities – Publication Draft Local Plan Examination

Statement of Common Ground agreed between North Essex Authorities (Braintree District Council, Colchester Borough Council and Tendring District Council) and Uttlesford District Council

Introduction

This Statement of Common Ground has been prepared jointly between the parties consisting of Braintree District Council, Colchester Borough Council, Tendring District Council (collectively known as the North Essex Authorities) and Uttlesford District Council.

The Statement sets out the confirmed points of agreement between the North Essex Authorities and Uttlesford District Council with regard to the submitted Publication Draft Local Plan Section 1 (2017) (The Plan).

Background

Uttlesford District Council is a neighbouring authority to Braintree District Council and are therefore a statutory consultee for The Plan.

- Uttlesford District Council submitted representations to the Local Plan Section 1 which have been given the response numbers S1173/577

Duty to Co-operate

The authorities confirm that there has been active, constructive engagement on an ongoing basis between Uttlesford District Council and the North Essex Authorities and hence the Duty to Co-operate has been met.

Strategic Housing Market Areas

The authorities confirm that they agree that Uttlesford and the North Essex Authorities are within separate housing market areas. The Objectively Assessed Need for Homes will be met for each constituent authority.

Strategic Issues - Transport

The authorities recognise that strategic infrastructure improvements made in one District can support growth, development and economic prospects in other Districts. The local authorities will continue to work with Essex County Council and Highways England to deliver necessary improvements to the M11 junction 8 and the A120 between Braintree and the A12.

West of Braintree Garden Community

Uttlesford District Council acknowledge the allocation of a new garden community within the North Essex local authorities Plan to the West of Braintree, which is located on the border with Uttlesford.

An extension of the West of Braintree Garden Community westwards into Uttlesford was proposed in the Uttlesford regulation 18 Local Plan which was subject to public consultation between 12 July and 4 September 2017.

Uttlesford District Council are yet to make a decision on the contents of their Regulation 19 Local Plan. This is expected in late spring 2018.

Subject to this the Councils are also committed to develop a 'boundary blind' community where the development would take place on the most appropriate part of the site, regardless of its location within one local authority area or another.

To facilitate the above point, as work progresses on the masterplanning and phasing of the community through the Development Plan Document, a mechanism will be agreed between Braintree District Council and Uttlesford District Council to apportion the homes completed on the site in an equitable manner. Officers will work jointly to prepare this mechanism for formal consideration by both Councils.

Work undertaken as part of the Development Plan Document will also include how the garden community can operate as a single community, and not one split down local authority boundaries.

Without prejudice to any decision taken by Uttlesford District Council on the Regulation 19 Local Plan, the Councils are committed to working together, to ensure that the proposed Garden Community would come forward as a single coherent new community. To this end the Councils have worked together to produce an Issues and Options Development Plan Document for the West of Braintree Garden Community which is currently the subject of a ten week consultation period.

UTTLESFORD DISTRICT COUNCIL

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which:

- Are likely to result in the Council incurring expenditure or making savings in excess of £100,000 subject to the following:
 - Decisions on the acquisition or disposal of land or of an interest in land will be key decisions if their value exceeds £500,000¹.
- Are likely to be significant in terms of its effects on communities living or working in Uttlesford.
- Relate to the adoption or revision of plans and policies which would have a significant impact on the way in which the Council carries out its statutory functions.
- Relates to consideration by the Cabinet of proposals which would have a significant impact on the provision of services to the public or on the operational management of the Council.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

A list of the documents forwarded to the executive for consideration in connection with the key decisions is included in the plan. Copies or extracts of these documents or any questions regarding the items listed should be addressed to the contact officer shown in the final column.

Documents are available from the Council Offices, London Road Saffron Walden CB11 4ER. All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services 510430/433/369/548 or by contacting committee@uttlesford.gov.uk

¹ Please note, the following are not key decisions:

- Loans or borrowing decisions made in accordance with the Treasury Management Policy.
- Decisions relating to the engagement of staff unless falling within paragraph 4.
- Contract awards or renewals for vehicles, plant, machinery, goods, supplies and services where budget provision has been made and the award or renewal is within budget.
- Contract awards where the decision to let the contract has already been treated as a key decision.

CABINET 11 January 2018

Key Decisions

Decision	Decision maker	Date of decision	Brief information about the item and details of documents submitted for consideration	Portfolio Holder	Contact officer from where the documents can be obtained
Development of land at The Moors, Little Dunmow	Cabinet	11 January	Redevelop land at The Moors, Little Dunmow for housing with a mixture of houses and flats	Cllr Redfern	Roz Millership – Assistant Director – Housing, Health and Communities

Decisions to be taken in private

None