



UTTLESFORD DISTRICT COUNCIL

Felsted & Stebbing Ward

District Councillors John Evans & Richard Silcock



DISTRICT COUNCILLORS' REPORT: FEBRUARY 2025

Please find below our monthly Report to the Parish Council.

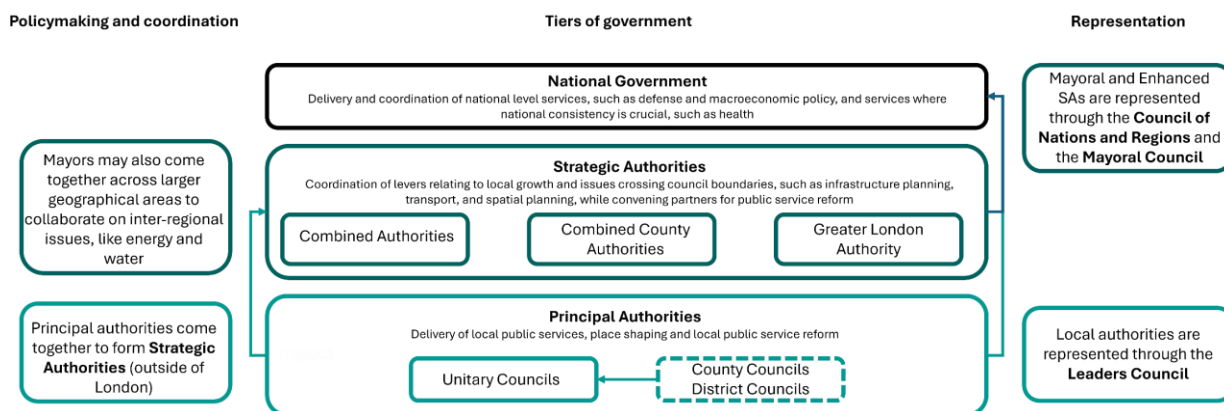
We are sorry that we were both unable to attend you at last month's (remotely held) meeting, on account of our attendance at the Extraordinary Full Council meeting that was held that evening by way of a preliminary briefing and discussion regarding Local Government reform. This subject will be the first topic covered in this Report (and is likely to be the case also in coming months).

LOCAL GOVERNMENT REFORM ("LGR")

By way of reminder, the Government has decided to secure wide ranging LGR across those County, District and Borough Councils which have not hitherto been operating as unitary authorities but have been structured and operating in bifurcated fashion continuously since the last LGR which was put in effect in 1974. They are mainly made up of the last remaining "shire counties" and their districts (including Essex, Norfolk, Suffolk, Kent, Hertfordshire and Surrey in the East and South East). Hertfordshire is not included in this list however, since their districts are not supportive of their County Council as regards its aspirations towards devolution and LGR and wish a full examination of the issues to be undertaken before agreeing to proceeding at pace with LGR.

The same is not true in Essex where the County Council and several District Councils (Braintree and its leader having being among the foremost proponents of devolution for several years) are in favour of "devolution" (see below) and LGR taking place as promptly as may be achieved. The Government, as we described in last month's Report is determined to secure the establishment of Mayoral and Unitary Authorities and in default of being arrived at consensually, will take steps to achieve it by imposition. Such is their political will in the matter that the District Councils in Essex are (in the case of the majority) pleased and (in the case of others – such as Uttlesford) resigned that it will come about at pace, notwithstanding (as yet) many details as to mechanics and process not yet having been laid down by Government.

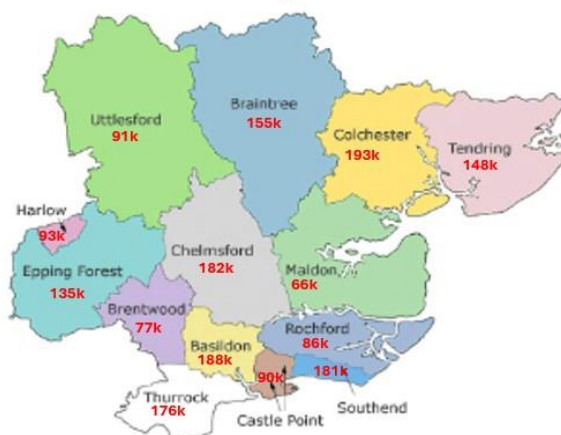
The proposed changes will look lead to the introduction of the structures and layers of governance which were set out in the Devolution Bill and to which we referred in our last Report and, for convenience, is repeated diagrammatically here:



So, the likely outcome will mean that Essex County Council, the two existing unitaries of Southend and Thurrock and each of the Districts will “disappear” and will be replaced by a Mayoral Strategic Authority (covering also the Police and Fire Services) and several combined unitary authorities respectively, the latter being fewer in number than the present 13.

The Government’s policy approach is to put in place strategic authorities with a population of some 1.5 million people (for that, Essex as a County would meet the requirement) and for the unitary authorities to each represent some 0.5 million people. As to the latter, that number is excessive in the view of many informed observers and indeed the areas where the relevant Ministers have their own constituencies have councils representing populations significantly lower than this. By way of reminder, this is the present composition and population make-up of Essex and its constituent districts.

The ‘building blocks’



In the case of Essex and Uttlesford, unitarization if accomplished on a population scale lower than the expressed preferred size of 0.5 million people, could lead to (say) five replacement unitary authorities of

in the region of 300 - 350,000 people each. That would be the current preference of the UDC Administration and also the opposition party Leaders (ie across party lines, we are pleased to report). Whether this can be achieved remains to be seen. It is the case currently that the County Council and some Districts would prefer the reconstitution to lead to as few as three unitaries in number.

However, various studies are currently being undertaken by consultants modelling the different potential make-ups and what might be the consequences of the alternative “assemblies” possible in socio-economic, economic and employment terms.

By way of example, should the new unitary authorities be put together along lines which respect the following features and similar sub-considerations, or others, as each might be identified among the currently composed District and Borough Councils across the County? Are other factors more relevant?

- Transport/economic Corridors (M11/A120/A12)
- Health Authority boundaries
- Economic Partnerships (growth, development trajectories)
- Financial Resilience
- Costs (savings and overheads)
- Existing Indebtedness (eg Thurrock has huge debt)
- Allocation of Liabilities
- Socio Economic (demographics/deprivation)

None of this proposed reorganization (however the new building blocks are to be arranged) will be simple let alone cheap. Indeed, the latest UDC Budget 2025-2026 (see further below) has now been obliged to provide for an expense line to anticipate the costs likely to be incurred in this regard which is put at **£ 2 m - £ 2.25 m**. This will not be the end of it and is disregarding of any reallocation among the unitaries of the indebtedness incurred by Thurrock BC (relating to its investments in solar farm bonds) as to which discussion with Government will surely be necessary.

For Uttlesford voters and council tax payers, for the first time they will see themselves, directly (rather than via the County Precept) bearing the cost of social welfare. The cost of the homeless and social care incurred in other districts generally and in (for example) Harlow are far greater than in Uttlesford. Such costs will be felt directly. Whether they will be lower when incurred and the services discharged by a smaller unitary authority than is currently the case by the larger (County) unit is very much open to question, it seems to us.

We have seen reference to promotional words spouted in favour of LGR along the lines of:

“It’s simpler! One council that does everything. Housing, road repairs and bin collections will be better value for money, while decisions on schools and care will be taken much more locally. Fewer politicians/fewer CEOs/fewer organisations/less red tape.”

We do not believe this will necessarily either follow nor be the result. As to the maintenance of roads and drainage (both currently “County Matters” and ones which have frequently troubled us in the Parish) we imagine these will remain the responsibility of the Strategic Authority (the Mayoral body to be) and hardly think that a new one stop shop will necessarily change or improve matters.

As to there becoming fewer politicians elected and CEOs in post, that will however be the case. As to the former, instead of the representation of our two Parishes being provided by County Councillor Foley and Richard and John as the two District Councillors, the ward (together with the entirety of Great Dunmow, Little Dunmow and Barnston) would be represented by (possibly) 3 elected Members only (in place of 8 currently). Uttlesford as a whole would be made up of (possibly) 15 members in all. If amalgamation with the possible option of Epping and Harlow resulted, their residents would be represented by (possibly) 21 and 15 members respectively.

Students of constitutional matters will find the report of the Local Government Boundary Commission here, which sets out the relevant wards for the (presently) scheduled 2025 County Council elections.

It is these ward boundaries and the population represented which will lead to a calculation (possibly using a multiplier of 3 per current County Member) giving the number of unitary member representatives which will be expected to follow in future:

https://www.lgbce.org.uk/sites/default/files/2024-07/essex_fr_long_report_-_final_combined.pdf

As to Council elections, the County Council elections presently due to be held in May 2025 will probably (subject to Government approval) cancelled. County Councillor Foley (and other County Councillors) would however continue as elected Members until the new bodies are created and new elections would be held in 2026 or more likely 2027 when John and Richard too are scheduled to cease as District Councillors in ordinary course. However, assuming the unitaries are by then “up and running”, new elections would be held, but if, as is more likely, they will not, a twilight period will operate and their mandate would be extended until the new unitaries would come into existence, and they would remain in post until that date. There would however very likely be a period during which both the existing District Councils and the new unitaries (operating in shadow form) would exist with two different sets of elected members!

It might be seen therefore that the dismantling and replacements proposed would hardly be simple, swift nor cheap. Indeed, as to the latter, although there would be fewer senior officers required, any redundancy affecting them in a reorganisation would be costly, since under Local Government pension scheme arrangements, for a long established senior officer over 55 years of age and earning (say) £100,000 pa, it would be necessary to top up his/her pension pot by something of the order of £ 400 k.

We have heard it suggested that for a County the size and District scale of Essex, the LGR and devolution costs incurred could well amount to as much as £ 20 - 30m over the lifetime of the various/multi-level reorganisations concerned. How quickly or comprehensively would such additional costs be recovered

would be a matter of conjecture. We are however very sceptical that the costs incurred will result in a lesser Council Tax bill for the residents or businesses in either the short nor long term.

We leave Members and residents to ponder as to whether they consider that having fewer Councillors available to represent them will lead to a greater or lesser degree of democratic accountability. Ultimately, we believe that it will be necessary for Parish and Town Councils to consider setting higher levels of precept and taking upon themselves a greater level of activity within their own areas so as to overcome the more distant level of control and awareness that will we believe result from LGR.

The Local Government Association has prepared a set of FAQ's relating to Devolution and LGR (which they will be updating from time to time) and the link to these is below and which perhaps will be of help to those wishing to understand further background detail to the constitutional changes ahead. Some answers are by their nature anodyne but we thought it appropriate to provide access to some external commentary in addition to providing our own subjective views on this complex topic:

<https://url.uk.m.mimecastprotect.com/s/6bH0CORYZlwQowHwfoT99Z-9?domain=local.gov.uk>

UDC DRAFT BUDGET 2025 - 2026

As we reported last month, the UDC Budget is now being finalised, having been reviewed and discussed by Scrutiny last night (Tuesday) and will be brought to full Council for consideration and approval. This is a useful link to the summary report brought to Scrutiny:

<https://www.uttlesford.gov.uk/article/8387/Budget-2025-26>

However, while the detailed papers and Appendices are voluminous, the cover report is to be found here:

[Agenda item - Budget 2025/26 - Modern Council](#)

In accordance with Cabinet's guidance, an increase of £ 5.28 (2.99%) upon Council Tax (the maximum permissible) has been used, giving a UDC band D council tax figure for 2025/26 of **£182.02**. Multiplied by the council taxbase, this produces a council tax income for UDC of **£7,381,304**, ie a sum which does balance against the council tax requirement as required by statute, although an element of reserves has been brought into account for this purpose. It might be appropriate to be reminded that central Government funding to district councils like Uttlesford has again been moderated – the reason unfortunately being that urban centres have received greater funding pro rata than rural communities.

One of the questions which has been raised of officers by John in Cabinet relates to Felsted affairs; it is in respect of council tax imposed upon Felsted School. It has been confirmed that by reason of the Government's policy towards "private schools" (this is how, it may be noted, they are now dubbed by the Government in legislation and policy documents, rather than by the historically accurate term of "in the independent sector") Felsted School will no longer be exempt from council tax by reason of its charitable status. This will give rise to an annual council tax liability, for the first time, in the region of £ 160,000.

John has asked the UDC finance team to communicate with the School Bursar confirming the terms of the Government's policy, although no doubt the School will already be aware of the position.

However, as all residents will wish to know when they receive their Council Tax bills in a couple of months, some 90 % of the total bill is raised by UDC as collecting agent for ECC and the Police and Fire Commissioner. Only some 10% of the sum raised through the Council Tax system is available for the use of the District Council. As members of the Parish Council will recall, it is only the precept raised by it which is not subject to a maximum ceiling/capping.

Pending the evolution of the LGR described above, several corporate (ie non statutory) projects planned for by the Administration in its Corporate Plan will have to be modified or suspended, in the interests of avoiding future duplication of work and incurring unnecessary expense. Once the LGR process becomes known, then synergies in such priorities will once again be sought out – always for the intended benefit of residents and local businesses. Securing what to this Administration would be important priorities (including building additional social/housing stock) might not be the same let alone identical to those of the other Districts with whom Uttlesford would be amalgamated.

Such priorities would be decided upon by the succeeding unitary authority of course, and whose membership representing Uttlesford voters would be in the minority. We mention this by way of example as to just one obvious consequence of LGR.

FELSTED – A FURTHER SOLAR FARM (TO BE KNOWN AS HEDGEHOG GROVE SOLAR FARM)

While this item has been reported by us to you in the past couple of days, we thought it would be appropriate to include reference to it here also, for the benefit of residents who might not yet have been made aware of it.

The proposed developers, who are new to the project, having succeeded in place of the original promoters, are members of the French multinational energy company Total Energie. They have this week advised that there are to be two parcels of intended development, together extending over land at Draper's Chase and Poplar's Farm (part of the Lord Rayleigh's holding), lying to the north and east of Felsted, as well as potentially additional land parcels. A plan of their intended land area is not currently available

They are intending however to set up an informal consultation and information forum by way of a Community Liaison Group representing an initial phase of consultation before statutory consultations commence.

The scale of the development is 98 MW ie it is at a National Infrastructure Level, something with which the Parish has, we anticipate not needed to be become familiar in the past. So, it might assist to have an outline Guide as to the issues and procedures applicable to the applicable Development Consent Order process which is administered/adjudicated upon by PINS on behalf of the Secretary of State.

https://assets.publishing.service.gov.uk/media/5a751191ed915d60d3b90de7/Fact_Sheet_Planning_Act_2008_DCO_Final.docx#:~:text=A%3A%20A%20Development%20Consent%20Order,granted%20for%20the%20proposed%20scheme.

The developers have stated that “in parallel with the project’s development” they are also committed to providing a community fund that will benefit local causes and initiatives. No further details are provided as yet. We are of course happy to make ourselves available to participate in any Community Liaison Group, as may be requested by the Parish Council.

This is a very important aspect of the proposed development and of potential benefit to the community at large and in particular to those most closely affected who live close by.

Community benefits are voluntary and not provided according to tariff but other project examples which John has ascertained have led to substantial financial benefits for those particular communities and some examples are given here in papers prepared last October for a parliamentary debate on the subject:

<https://researchbriefings.files.parliament.uk/documents/CDP-2024-0127/CDP-2024-0127.pdf>

There is no further legislation or regulation on the subject as yet, but further research is likely to be of interest. One can be sure, given the status and importance of Total Energie to the UK energy market, that they will be more than familiar with the latest government thinking and anticipated policies on the subject.

The scale of community benefit which is described in the following link by way of example, if it were negotiated and achieved upon this solar development of 98 MW output, could exceed £ 100 k pa. Other types of benefit could be in the nature of BNG gain and/or discounted local electricity use. So, there are potentially very important financial and other benefits consequent upon this scheme. Questions do however arise:

- How might they be negotiated?
- By whom?
- Would The Felsted Community Trust be an appropriate body?
- Or should such a body have a “stand alone” single purpose eg carbon related and have no interrelationship with FCT and its entirely separate purpose and funding?
- Would community representation (beyond that of the Parish Council) in any such a body be appropriate?
- What would be the governance and long term management arrangements to be put in place concerning such negotiated benefits?
- How should benefits arising from negotiated/voluntary arrangements be secured, policed and enforced?
- What would be the role (if any) of Uttlesford as regards these matters (eg as enabler/mediator/negotiator/contract party or under something like a s 106)?

There would no doubt be many other questions and issues to consider.

A serious level of in depth research, possibly external advice and early engagement on behalf of the community is very much to be encouraged and one in which we would be most willing to assist, if requested.

[Community Benefit and large-scale ground mount solar PV - Low Carbon Hub](#)

LOCAL PLAN – UPDATE & PLANNING MATTERS GENERALLY

The Planning Inspectorate (“PINS”) have now appointed two Inspectors, namely Guy Davies BSc (Hons) DipTP MRTPI and William Cooper BA (Hons) MA CMLI to examine the Local Plan 2021-2041. A third Inspector might also be added in future.

The Inspectors will be identifying the preliminary issues and questions that they wish to be addressed in the coming couple of months. We will provide updated reports as relevant. Meanwhile, the cross party member Local Plan Panel will be kept apprised and will meet to consider updates, as required.

As we confirmed in last month’s Report, the draft Local Plan will proceed to examination under the standard procedural rules, using the NPPF 2023 Standard Method for assessing housing numbers (some 19% lower than under the 2024 equivalent) as provided for under the governing transitional arrangements.

What the future will hold for development in this area will be anyone’s guess given that macro/structural development and in particular major infrastructure policy will emerge from the Essex wide Mayoral authority under the LGR and devolution arrangements we have described above.

The current significance of “district related” housing numbers will certainly diminish under LGR, and is indeed already emphasised by NPPF 2024, whereunder currently unconstrained districts are expected to assist constrained districts towards meeting their housing requirements. For us in the southern part of Uttlesford, as a result, assisting Epping Forest (which is very heavily constrained by the Green Belt including the Forest itself) to meet its housing needs would be very much on the cards in the medium-long term.

As to planning matters generally, the latest statistic measuring the “performance” of the UDC Planning Committee in meeting the Government’s threshold for overturn of planning decisions now stands at **4.35%**. The performance threshold above which MHCLG is entitled to consider designation of a planning authority is 10% and it was because UDC greatly exceeded that measure in the period 2018 - 2021 that it was “designated” in 2022, enabling applicants of major housing developments (those exceeding 10 in number) to elect to submit those planning applications for determination directly to PINS. None of the other planning powers have been removed from UDC, as we have explained previously, by reason of designation. Indeed, notwithstanding designation, many applicants for larger sites have continued to submit their applications to UDC.

Because the current statistic meeting meets the regulatory test, it is likely that UDC will apply within the next two months to the Secretary of State to come out of designation. It is a matter entirely within his own discretion. The planning “trade press” has published a league table of the overturn statistics (right hand column below) for all English planning authorities which might interest your Planning sub-committee. Uttlesford does not even come into the “top” 20 – not being there is a very good thing!

Rank	Planning authority	Total major decisions and non-determined cases	% decisions overturned at appeal
1	Lewes	42	35.7%
2	Three Rivers	25	24.0%
3	Basildon	48	14.6%
4	Folkestone and Hythe	30	13.3%
5	Hinckley and Bosworth	93	12.9%
6	Allerdale	33	12.1%
7	Epping Forest	51	11.8%
8	West Oxfordshire	82	11.0%
9	Watford	19	10.5%
10	Mole Valley	48	10.4%
11=	Blaby	29	10.3%
11=	Cherwell	117	10.3%
13	Charnwood	50	10.0%
14	Hartlepool	41	9.8%
15	Tewkesbury	84	9.5%
16	Staffordshire Moorlands	32	9.4%
17	Cheltenham	33	9.1%
18	Wyre Forest	34	8.8%
19=	Richmondshire	24	8.3%
19=	Rossendale	12	8.3%

Source: MHCLG · Get the data · Created with Datawrapper

STANSTED AIRPORT

As will be recalled from previous reports, MAG have intimated their intention to apply to UDC for planning permission to expand their airfield operations, and will be seeking permission to increase passenger numbers from the currently permitted 43 million pa to 51 million pa, while not seeking an increase in flight movements, which will remain capped at 274,000 pa. The increase in potential passenger numbers arises because of the anticipated use by users of new variants of Boeing 737 and Airbus 321 aircraft, which can accommodate a greater number of passengers than currently. It is anticipated that the new aircraft will accommodate on average 217 passengers rather than the current 191. No additional runways will be required – MAG just plan to make best use of the existing runway but increase taxiways etc.

MAG are required to undertake an Environmental Impact Assessment in support of their application and have prepared a scoping report in anticipation (see planning portal application UTT/25/0092/SCO).

We will report further regarding airport matters next month.

DISTRICT COUNCILLORS' AND CONSTITUENTS' SURGERY

We will be holding our usual monthly surgery at 1730 in the URC Hall, immediately prior to the PC Meeting. We are always, of course, pleased to meet up, by appointment as required, with any resident who wishes to discuss a matter of concern or indeed anything we have commented upon in our Monthly Reports.

If any resident would like to receive a personal copy of our Monthly Reports, we shall be pleased to send one directly to them by e mail.

Finally, we remain very happy to consider requests for financial support, utilising our Members' Initiative Grant as appropriate and which can be made available to community groups for suitable purposes.

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