

COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 20 APRIL 2010

Present:- Councillor A D Walters – Chairman
Councillors S Anjum, K R Artus, H J Asker, S Barker, C A Cant, R H Chamberlain, R P Chambers, J F Cheetham, J E N Davey, A Dean, C D Down, K L Eden, E J Godwin, E W Hicks, S J Howell, J E Hudson, D M Jones, A J Ketteridge, T P Knight, R M Lemon, J I Loughlin, J E Menell, D J Morson, D G Perry, J A Redfern, H S Rolfe, J Salmon, S Schneider, G Sell, R D Sherer, C C Smith and L A Wells.

Officers in attendance:- J Mitchell (Chief Executive), G Bradley (Community Partnerships Manager), M Cox (Democratic Services Officer), R Harborough (Director of Development), S Joyce (Chief Finance Officer), M Perry (Assistant Chief Executive) and A Webb (Director of Central Services).

C76 STATEMENT BY MEMBER OF THE PUBLIC

Prior to the meeting a statement was made by Paul Gadd in relation to the Sainsbury's and Tesco planning applications. A copy of the statement is attached to these minutes.

C77 MEMBERS' QUESTION AND ANSWER SESSION

Councillor A Dean referred to the consultation on the new committee structure and asked the Leader of the Council if he still intended to pursue a cabinet system, given that the Conservative manifesto stated that it would allow local authorities to return to a committee system. The Leader replied that the statement in the manifesto was not a directive but aimed to give authorities the choice to implement their preferred system and the consultation on this matter was continuing. Councillor A Dean said that recent events had discredited the Westminster system and the Government appeared to be moving in a different direction in exercising greater scrutiny and control over the Executive.

Councillor Sell asked the Leader for his views on the suggestion of a public sector pay freeze. The Leader replied that pay was currently regulated by the Local Government Employers and he had no comment to make at this stage.

Councillor Morson asked Councillor Barker if she was satisfied that the core strategy consultation had been equitable given that the online consultation contained a greater number of response questions than the resident's questionnaire. Councillor Barker replied that residents had been given ample opportunity to comment and once the consultation had concluded officers would advise of the weight to be given to the various issues.

Councillor Cant asked the Leader about the consultation on the new committee structure. She was concerned that it had not been widely publicised as at her recent parish council meeting the members had not been aware of the issue. She was advised that an advert had appeared in the local press, a

leaflet was available at the council offices and libraries and a letter had been sent to all parish clerks. The consultation would also be mentioned in the next edition of Uttlesford Life. Councillor Hicks added that Barnston Parish Council had recently discussed the consultation and had sent comments back to the Council.

Councillor Lemon asked when the poll cards for the General Election should have been delivered as he understood that some people had only just received them and the deadline for registering for postal votes was today. The Chief Executive replied that the cards had been dispatched as soon as was practical and pointed out that there was an opportunity for anyone to register for postal votes throughout the year.

Councillor Menell referred to the mention of litter in the Corporate Plan, and as it was difficult for the council to cover the whole district area, she asked the Chairman of the Environment Committee to encourage parish councils to organise litter picks. She said that this had been successful for parish councils in her area. Councillor Ketteridge announced that the Council would soon be mounting a district wide campaign to 'keep the district tidy'.

C78 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Abrahams, Bellingham-Smith, Clover, C Dean, Foley, Gower, Miller, Sadler, Wattebot, Wilcock and Yarwood.

Councillor Chambers declared his interest as a member of the County Council and as Chairman of the Essex Police Authority.

C79 MINUTES

The Minutes of the meeting held on 18 February 2010 were received, confirmed and signed by the Chairman as a correct record.

C80 CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that the civic dinner had raised £1400 towards his nominated charity. He particularly wanted to thank Janine Corbey, Sue Kempster and Linda Dobson for their help in organising the event.

Councillor Godwin said that the event had been thoroughly enjoyable and on behalf of all members thanked all those who had been involved in making the event such a happy and enjoyable evening.

C81 LEADERS ANNOUNCEMENT

The Leader said that by the time of the next council meeting, the result of the General Election would be known. Whatever the outcome, there was likely to be an effect on local authorities and the implications for this council would need to be assessed.

MATTERS ARISING FROM COMMITTEES**(i) Environment Committee – Minute E59 – Natural Resources Management Strategy**

Councillor Barker proposed the adoption of a recommendation from the Environment Committee to approve the Natural Resources Management Strategy. The document was an updated and expanded version of the Climate Change Strategy that had been adopted in 2007. The Environment Committee had asked for additional issues to be addressed within the strategy. One of these was the consideration of Energy Efficiency measures for listed buildings and the Chairman asked whether the Development Control Committee could look at this issue.

Members cited problems that they had experienced when trying to apply energy efficiency measures to listed buildings and asked that thought be given to developing a revised policy on this issue.

Councillor C Dean had asked the following questions in relation to the strategy

P12 – in terms of the Nottingham declaration, Braintree and Uttleford Councils had signed a protocol of joint working – how was this progressing?

P15 – An update on the progress of implementing the staff travel plan and car lease scheme.

P17 – Details of how the renewables study was informing the policies that will be contained in the local development framework.

The Chairman said that answers to these questions would be brought to the next Environment Committee meeting. She also reported that the recruitment process was underway for the replacement of the Energy Efficiency Surveyor.

RESOLVED that the Natural Resources Management Strategy and related action plan be approved.

(ii) Finance and Administration Committee - 25 March 2010 – Minute FA70– new Contracts Procedural Rules

Councillor Chambers proposed adoption of a recommendation from the Finance and Administration Committee to adopt new Contracts Procedure Rules. The existing contract standing orders no longer met the business needs of the council and omitted key guidance. Members asked that reference to local purchasing be included within the rules.

RESOLVED that the Contracts Procedure Rules be approved including a reference to local purchasing.

ANNUAL SCRUTINY REPORT

Councillor Dean presented the Annual Scrutiny report which contained information on scrutiny activity carried out during 2009/10.

The Committee had considered the Council's involvement with the 2012 Olympics and had expressed a desire to revive the Olympics Working Group but there was currently no budget or staff resource to support it. It was understood that Essex County Council was more involved in the preparation process and it was suggested to invite a representative of the County Council to speak to the Working Group to see if there were any areas where this council could become involved.

Councillor Sell said that the Scrutiny Committee currently worked well together and thought would need to be given about how to include the scrutiny function in any future executive arrangements. The effectiveness of the scrutiny function was seen as an important feature for becoming an excellent council and the council would need to consider how it could be properly resourced.

C84

TRANSFER OF PLAY AREA TO FLITCH GREEN PARISH COUNCIL

Members were requested to approve the transfer of the play area at Baynard Avenue, Flitch Green. The play area had been taken over by the district council with the aim of transferring it to the parish council, who would then take over responsibility for the area. There was £4,000 remaining from the commuted sum for the maintenance of the play area and this would also be transferred to the parish council.

RESOLVED that members approve that the Play Area at Baynards Avenue, Oakwood Park be transferred to Flitch Green Parish Council along with the commuted sum of £4,000 to support the cost of maintaining the facility.

C85

EXCLUSION OF THE PUBLIC

RESOLVED that, under Section 100(l) of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involved the likely disclosure of Exempt Information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

C86

LANDSBANKI – POTENTIAL SALE OF DEPOSIT

Councillor Chambers asked the Committee to approve the recommendation contained in minute FA76 of the Finance and Administration Committee on 25 March 2010. Members discussed this issue and suggested additions to the recommendations to ensure the Council's best interests.

RESOLVED that the Full Council approves

- a) That the Council, in principle, is willing to trade its Landsbanki deposit, subject to certain criteria being met.
- b) The criteria for judging the merits of an offer to purchase the Council's deposit in Landsbanki, as set out in paragraph 42 of the report (without paragraph 42 (c)).
- c) Authority to be delegated to the Chief Finance Officer, in consultation with the Finance and Administration Committee Chairman, to conduct

- informal negotiations with investment companies, and to initiate such due diligence procedures as may be required.
- d) Authority to be delegated to the Chief Finance officer to turn down a proposal if it does not meet the Council's criteria.
 - e) Authority to be delegated to the Chief Finance Officer, in consultation with the Leader of the Council, Finance and Administration Chairman, Chief Executive and Monitoring officer, to develop a recommendation to Full Council to accept a proposal provided that it meets the Council's criteria (without paragraph 42 (c)). The views of the District Auditor will be obtained.
 - f) That the Full Council determines any recommendations arising from e) above. (An extraordinary meeting of the Council may be called under procedure rule 3 if a decision is required outside the scheduled meetings programme).

The meeting ended at 9.00pm.

STATEMENT BY MEMBER OF THE PUBLIC – PAUL GADD SAVE SAFFRON WALDEN TOWN CENTRE

UDC Council Meeting on 20 April 2010

Planning Applications UTT/1323/09/FUL and UTT/1451/09/FUL

Thank you for the opportunity to address you in relation to the Tesco and Sainsbury's planning applications. The concerns of the Save Walden Town Centre group are both procedural and substantive.

Last December we submitted legal submissions detailing the inaccuracies in the applications and why they breach planning policy. We understand that not until after the Development Control Committee meeting on 7th April did the planning officers read these submissions, not in time to inform that meeting, and not in time to inform the retail studies commissioned by them. We hope that we may finally have a dialogue with the planning officers, but our representations have not been properly considered and we have grave concerns over the poor state of the recent Savills retail studies commissioned by UDC. These retail studies are shockingly poor, both in the lack of awareness of background studies that they show and in their willingness to accept the claims made by the supermarkets at face value. Other council planning departments are vastly more sceptical of the claims made by supermarket applicants than UDC or Savills have been.* Our group has much to offer UDC in detailing the many misrepresentations made by the supermarkets, particularly as we have vastly more professional experience of the competitive effects of supermarkets. Indeed, we have already done much of this work, but neither Savills nor the planning officers had read our submissions.

We oppose the proposed developments because:

1. National and local planning policies are directly opposed to out of centre supermarkets unless, broadly, there is a clear need and there will be no adverse impact on neighbouring town centres.
2. Most of the Sainsbury's site is designated as key employment land to be safeguarded from change of use.
3. Both supermarkets claim they will attract trade to Saffron Walden. These claims are rubbish: by far and away the biggest source of turnover will be existing businesses in Saffron Walden, Thaxted and nearby villages. Anyone in doubt should read the relevant government reports**. Supermarkets draw trade away from local centres.
4. The retail studies show that there is no need for more supermarket capacity – and indeed the Tesco submission explicitly says so;
5. Either development would have a non-food sales area equal to 80% of the total size of Waitrose. It is all too easy to visualise the many Saffron Walden stores which are likely to close as a result. And it isn't only direct competition – as people drive just to the out of centre supermarkets, town centre footfall drops and all businesses will be affected. Even Sainsbury's own misleading figures predict a 10% drop in town centre trade;
6. Both applications are therefore in direct breach of the applicable planning policies;
7. Sainsbury's have made extravagant claims about job creation whilst ignoring the jobs supermarkets destroy***. Studies show that supermarket openings result in net job losses in a local area. Further, supermarket generally don't use local tradespeople, professional services or other local procurement, and therefore do not recycle their turnover locally;

8. Either development would lead to a huge increase in traffic, within Saffron Walden and in the neighbouring towns and villages through which cars and supply lorries would travel. Traffic and air pollution in Saffron Walden are already so bad that legal air quality standards are breached in 4 areas, even without further development.

For all of these reasons, legal and because of the inevitable adverse economic and social impacts on Saffron Walden, we hope that UDC will correctly apply the relevant planning policies and reject both of these applications, as you did 10 years ago when Tesco last applied to build a rather smaller extension.