

COUNCIL MEETING held at 7.30pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 9 JANUARY 2001

Present:- Councillor D M Miller – Chairman
 Councillors E C Abrahams, Mrs C A Bayley, W F Bowker,
 Mrs C A Cant, Mrs M A Caton, R P Chambers,
 Mrs J F Cheetham, R A E Clifford, R J Copping, Mrs D Cornell,
 A Dean, Mrs C M Dean, R C Dean, Mrs C D Down, Mrs S Flack,
 M A Gayler, Mrs E J Godwin, R D Green, D W Gregory,
 M A Hibbs, D M Jones, A J Ketteridge, P G F Lewis,
 Mrs C M Little, Mrs J I Loughlin, Mrs J E Menell, R A Merrion,
 D J Morson, R J O'Neill, A R Row, Mrs S V Schneider, G Sell,
 R C Smith, R W L Stone, A C Streeter, Mrs E Tealby-Watson,
 A R Thawley, R B Tyler and P A Wilcock

Officers in attendance:- Mrs E C Forbes, Mrs L J Crowe, J B Dickson
 A Farrow, B D Perkins and Mrs J Postings

217 **ESSEX PLAYING FIELDS AWARDS**

The Chairman presented certificates of merit which reflected the standards of good practice that had been achieved by playing fields and children's playgrounds during the year, particularly with regard to health and safety and European legislation. All Councils throughout Essex, both district and unitary, parishes, sports clubs and independent playing fields had been invited to enter the competition. The awards were given to encourage members of local communities who gave their spare time to looking after the amenities.

Certificates were awarded to the following organisations:-
 Clavering Parish Council - Eggie Abrahams
 Radwinter Parish Council - John Hardisty

218 **STATEMENT BY MEMBER OF THE PUBLIC**

Mr T Newman, a resident of Park Road, Stansted, addressed the Council regarding the removal of bollards at the western end of Park Road, Stansted. His statement is appended to these Minutes. Mr Newman was advised that until the pending legal proceedings had finished it was not appropriate for the Council to give further consideration to this matter.

219 **APOLOGY FOR ABSENCE**

An apology for absence was received from Councillor M L Foley.

220 **MINUTES**

The Minutes of the meetings held on 10 October 2000 and the special meeting held on 18 December 2000 were received, confirmed and signed by the Chairman as correct records subject to the inclusion of the summary of Mr Nash's statement to the Council with the Minutes of the Council Meeting held on 10 October 2000.

221 **BUSINESS ARISING****(i) Minute 137(v) – Essex Ambulance Service – Response**

Councillor Gayler noted that district response times were not published and stated that the Uttlesford District needed 24 hour ambulance cover. He asked, and it was agreed, that a letter be sent to the Health Authority requesting response times for districts and also 24 hour ambulance cover for the whole district. Councillor Mrs Cheetham confirmed that this issue had been raised at a recent meeting of the Community Health Council.

(ii) Minute 139(iii) – Political Management of the Council

Councillor Gayler asked why the Leader of the Council had been able to produce a report when the Organisation Joint Working Party had been suspended by the Council. If the Organisation Joint Working Party had been by-passed there was no point in the Working Party continuing. He asked the Leader if he had a view on a workshop to discuss the IDeA review. It was

RESOLVED that the Leader arrange a workshop to discuss the issues raised by the IdeA review. The meeting to be attended by Members only and one officer to take the notes.

Councillor Mrs Caton sought clarification as to whether the OJWP would be quorate if it met as she understood several Members had resigned. The Chief Executive said that she had only received the resignation of Councillor A Dean. Members were reminded that it had been the decision of the Policy & Resources Committee to ask the Organisation Joint Working Party to work up detailed proposals for a streamlined committee system. Councillor Mrs Cheetham moved the following motion which was duly seconded:

“The Council ceases discussion on political management of the Council and takes up the discussion again at Minute 190 of the Policy & Resources Committee Minutes”.

On being put to the vote the motion was carried.

(iii) Minute 140 – Standards Committee

In answer to a question from Councillor Copping it was confirmed that the Standards Committee had not met since 17 August 2000. Councillor Sell

expressed concern that there had been a lack of openness around this Committee and said that Members had not been informed who the independent members on the Committee were. The Leader informed Members that the names of the independent members of the Standards Committee had appeared in the Members' Bulletin. The Assistant to the Chief Executive said that there had only been one meeting of the Standards Committee. Lessons would be learnt as meetings were held. He noted Members' concerns about openness.

(iv) Minute 139(viii) – Best Value Sub-Committee

Councillor Clifford asked to be assured that the Best Value Sub-Committee would look at the effectiveness of Best Value. Councillor Chambers said that the Best Value Sub-Committee was looking at value for money, for example the high cost of the audit was being closely monitored. Councillor Hibbs said that the Best Value Sub-Committee had begun to take decisions which had led to a great deal more work for Officers. Certain things should be referred back to the relevant Committee thereby reducing duplication.

(v) Minute 139(x) – Results of Tendering Process for Installation of Closed Circuit Television (CCTV)

Members were informed that, whilst there could be no absolute guarantee, it was considered extremely unlikely that the Council would incur any contractual penalties in the event of the CCTV project not proceeding.

(vi) Minute 143(i) – Presentation by Representatives of Essex Social Services Consultation Document “Age Matters”

Councillor Hibbs declared an interest in this item as a Member of Saffron Walden Town Council.

Members expressed concern that there were now only two homes in the district which would remain in the ownership of Essex County Council. Councillor Chambers assured Members that he had voted to keep homes in the ownership of Essex County Council but unfortunately all County Councillors were voting for their own district. He would continue to campaign to keep Hatherley Lodge in the ownership of Essex County Council.

(vii) Minute 143(ii) – Response to Essex County Council Study on Decriminalisation

In the course of this item, Councillor R P Chambers declared a non pecuniary interest.

Councillor O'Neill said he was very disquieted that the letter expressing the view, of this Council on decriminalisation of parking enforcement had not been sent to the Essex County Council until the 2 November 2000. The Executive had made no reference to this Council's views and the County Council had decided to implement the scheme for the whole county. Members asked

when County Councillor Williams would be coming to talk to Members. The Leader advised that a meeting was being arranged.

(viii) Minute 145 – Health Authorities and Health Trusts

Councillor Mrs J E Menell declared a non-pecuniary interest in this item as an employee of the Area Health Authority.

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CHAIRMAN'S COMMUNICATIONS

The Chairman informed Members that Councillor Mrs Menell had written two children's books as a fund raising project. These were available at a cost of £3 from the TIC in Saffron Walden and the CIC in Dunmow. Fifty pence from the sale of every book would go towards the Buffy Bus fund.

The Chairman would be doing a sponsored swim in aid of the Citizens' Advice Bureau (the Chairman's Appeal) and would be distributing sponsor forms to Members.

On behalf of the District Council the Chairman congratulated Lloyd Upsdell on his remarkable achievement in winning gold medals at the Paralympic games in Sydney. Lloyd was 17 years old and a sixth form pupil at Gosfield School. He suffered from cerebral palsy. The Council wished him every success for the future.

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RETURNING OFFICER'S REPORT

The Council was advised of the results of the election of a District Councillor for the Chesterfords Ward on 23 November 2000. Mrs Elfreda Tealby-Watson of the Liberal Democrat party had been duly elected. The Chairman formally welcomed Councillor Mrs Tealby-Watson to the Council.

224

POLICY & RESOURCES COMMITTEE

The Minutes of the meeting of the Policy & Resources Committee held on 19 December 2000 were received.

(i) Minute 190(ii) – Political Management of the Council

Councillor Chambers moved the recommendation contained within this Minute for implementation at the AGM in May 2001, and his proposal was duly seconded. Councillor Chambers stressed that his intention had been that the principle be approved and that the Organisation Joint Working Party should work up the details.

Councillor Gayler moved an amendment which was duly seconded that the words "according to the report" be removed from the recommendation made

by the Policy & Resources Committee. He said that it appeared that the Organisation Joint Working Party had been disbanded. A group which had not included the Liberal Democrats had come up with the report. Councillor Wilcock said he would like to be part of an Organisation Joint Working Party which included all parties and the Officers.

Councillor Hibbs commented that the fourth option was the best way forward for this Council. He was concerned about Members politicising the issues and urged that the amendment should be carried so that the Council could go forward. Councillor Tyler reminded Members that one of the Government's principal reasons for change was to speed up the decision making process. Councillor Alan Dean said the Council was divided over the way its management was being carried out. A strong leadership could mean an effective leadership but there was a difference between strong leadership and dictatorship.

Councillor O'Neill commented that there had been ample opportunity to discuss this issue. He also asked where the Council stood with the consultation.

The Chief Executive referred to the time limited task group agreed at Minute 199. This had not yet been formally established. Councillor Morson commented that several Members feared that if a cabinet administration was in place some Members would be excluded from taking part in decisions. Councillor Mrs Cant asked why there was such an urgency to make a decision if the Organisation Joint Working Party had been suspended. The Leader stated that the regulations were now available. In response to queries the Chief Executive advised said that some guidance had been issued but the full regulations had not yet been received.

On being put to the vote the amendment was lost.

On being put to the vote, Councillor Chambers' proposal was approved and it was therefore

RESOLVED that the Council pursue a streamlined Committee system according to the report and that the Organisation Joint Working Party be asked to work up detailed proposals for implementation at the annual meeting in May 2001.

Councillors Gayler and Wilcock then resigned from the Organisation Joint Working Party.

(ii) Minute 191(i) – Rent Arrears Writeoffs

Officers assured Councillor Clifford that the Council was careful to take early action to minimise debts. Councillor Stone replied that this issue had been raised again.

(iii) Minute 192 – Calculation of Council Tax Base 2001/02

RESOLVED that the recommendation in this Minute be approved.

(iv) Minute 193 – New Housing Financial Framework for Negative Subsidy Authorities

The Corporate Director Finance confirmed that the Housing Revenue Account would be discussed by the Housing Services Sub-Committee and the Community Services Committee before being submitted for approval to Policy & Resources Committee.

(v) Minute 201 – Community Information Centres

Councillor Sell asked for assurance that the establishment of a Community Information Centre in Stansted was being actively pursued. Members were informed that the usage of the Thaxted CIC would be monitored and it was hoped to provide a similar facility in Stansted as soon as possible.

(vi) Minute 200 – Periodic Electoral Review of Uttlesford District Council : Final Recommendations

In answer to a question from Councillor Mrs Menell Members were informed that an order was expected by the end of January and the new arrangements would be in force for the next District Council elections.

(vii) Minute 204 – Airport Working Party

In answer to a question from Councillor Gayler the Corporate Director - Development said that Stansted Airport had been informed of Members' comments as set out in the Minutes of that meeting.

(viii) Minute 205 – Highways Sub-Committee

Councillor Smith informed Members that the brake reaction testing equipment previously demonstrated to Members was now available.

(ix) Minute 206 – Best Value Sub-Committee

Councillor Copping was still very concerned at the large sums of money that best value was costing the Council. Councillor A Dean while supporting best value felt that there were several matters that needed to be addressed.

(x) Minute 212 – Management Structures

During the discussion on this item, Councillor M A Hibbs declared a pecuniary interest, took no part in the debate and did not vote.

The Chief Executive commented that there had been areas of concern among Members for some months and especially since the last meeting of the Policy

and Resources Committee. Consultation meetings had now been arranged with the officers most directly affected by the proposals and she suggested that the Internal Services Sub-Committee should consider a report on the outcome of the consultation process. The report would also contain full information on the financial implications of the proposals and the Sub-Committee would make recommendations to the Policy and Resources Committee.

Councillor Copping reiterated his strong concerns at the lack of justification for the expense of such large sums of taxpayers' money.

Councillor A Dean considered that the Chief Executive's suggestion might present a way forward but sought clarification that the Internal Services Sub-Committee would be able to consider the outcome of the consultation process and all other relevant points. It might be prudent to call a special Meeting of the Sub-Committee.

RESOLVED that, following the consultation process, a report be submitted to a special meeting of the Internal Services Sub-Committee.

Councillor Clifford commented that he was very concerned at the prospect of redundancies in the planning department as this department was under intense pressure at the present time.

In answer to a question from Councillor Jones, Members were informed that the consultation was being carried out as it was a statutory requirement laid down in employment legislation.

Councillor Morson reminded the Council that any restructuring or redundancy could be questioned thoroughly and, without a clear rationale as advocated in the IDeA report, could be lost.

RESOLVED that the Minutes of the Policy & Resources Committee held on 19 December 2000 be approved and adopted.

225

PLANNING AND DEVELOPMENT COMMITTEE

The Minutes of the meeting of the Planning and Development Committee held on 30 November 2000 were received.

(i) Minute 151(i) – Formation of Two Car Parking Spaces/Dropping Off Laybys at Council Offices, London Road, Saffron Walden for Uttlesford District Council – UTT/0699/00/DC

Councillor Mrs Dean expressed disappointment that planning permission had been refused for this application.

(ii) Minute 155 – Uttlesford Transport Strategy

Councillor Gregory stated that a public transport forum was an excellent idea. Officers confirmed that it had not yet been arranged.

(iii) Minute 156 – Application for Additional Funding from Section 106 Sources – Great Dunmow Maltings Preservation Trust

Councillor Mrs Cheetham declared a non-pecuniary interest in this item as her husband was a member of the Great Dunmow Maltings Preservation Trust.

In answer to a question, Members were informed that the Section 106 Agreement funds had been used for the benefit of Great Dunmow.

RESOLVED that the Minutes of the Planning and Development Committee held on 30 November 2000 be approved and adopted.

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COMMUNITY SERVICES COMMITTEE

The Minutes of the meeting of the Community Services Committee held on 5 December 2000 were received.

(i) Minute 173(i) – Age Matters

Councillor Chambers declared a non-pecuniary interest in this item as a County Councillor. Councillor Gayler declared a pecuniary interest in this item as an employee of Essex County Council.

Councillor Copping said that the Great Dunmow and Saffron Walden Town Councils might approach Essex County Council to see whether the Town Council could share with private companies the running of homes that were being sold. If colleagues in Saffron Walden, or even this Council could do so, this would give the public assurance that the homes were not being used solely for financial gain and would protect the residents.

Councillor Hibbs said that the County Council's decision was deeply flawed. There was no alternative accommodation for the elderly in the Saffron Walden district. If Hatherley were closed would cause major problems and the whole community would suffer. Councillor Chambers said that the County Council had not completed the sale for Hatherley. They were looking at various partnerships for this home. Contracts had been exchanged for Humfrey Lodge at Thaxted.

Councillor Mrs Cant said that two County Council maintained homes were inadequate for this very large district with an ageing population. This was not the time to close down homes and the proposals could make elderly peoples homes a tiered system. The Council should lobby the County Council to stop the closure of the existing County Council maintained homes. Councillor Ketteridge stated that homes were not closing. The ownership was changing.

Councillor Mrs Flack pointed out that many County Councils did not have any council maintained homes and said that people were affected by press headlines. She requested the press to report this matter sensitively.

(ii) Minute 173(ii) – Response to Essex County Council on Decriminalisation

Councillor Chambers had requested the portfolio holder for transport to visit the District Council to discuss the issue of decriminalisation. He would pursue this matter with County Councillor Williams.

RESOLVED that the Minutes of the meeting of the Community Services Committee held on 5 December 2000 be approved and adopted.

227 **LEISURE (PFI) BOARD**

RESOLVED that the Minutes of the meetings of the Leisure (PFI) Board held on 27 September, 16 October and 5 December 2000 be approved and adopted.

Members thanked Officers for the newsletter which had been well received and had kept the general public in touch with what was happening.

228 **CONTRACTS BOARD**

RESOLVED that the Minutes of the meeting of the Contracts Board held on 20 November 2000 be approved and adopted.

229 **A STRATEGY FOR CO-ORDINATING DISABILITY ISSUES**

Councillor Bowker declared a non-pecuniary interest in this item.

The Council received the following notice of motion proposed by Councillor P Wilcock and seconded by Councillor W F Bowker.

“This Council endorses the principle of supporting an environment where all Uttlesford residents with disabilities regardless of sex, age, race or socio-economic status have equal access in all aspects of their lives.

It recognises that disability may be: apparent or hidden, severe or mild, singular or multiple, chronic or intermittent; and that types of disability include mobility/agility, mental/cognitive, hearing, speaking and visual impairment.

This Council therefore intends to prepare a strategy for co-ordinating disability issues to:

- (a) heighten awareness of disability issues in Uttlesford
- (b) ensure open communication between those with disabilities, all levels of government, and related agencies
- (c) facilitate review of council policy to encourage the empowerment of people with disabilities, in community living, education, training, employment, transportation and travel issues.

The Council instructs its officers to prepare an appropriate report to a future meeting of the Policy and Resources Committee.”

Members spoke in support of the motion. The motion was then put to the vote and carried unanimously.

RESOLVED that the motion be approved.

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STANSTED AIRPORT

The Council received the following notice of motion proposed by Councillor R P Chambers and seconded by Councillor Mrs M A Caton.

“This Council considers that it is an important part of its function to ascertain the views of all its residents on aspects of possible future development at Stansted Airport.

It therefore instructs its officers to prepare a report for a future meeting of the Council’s Policy & Resources Committee on the practical, legal and financial implications of conducting a district wide referendum on the subject.”

Councillor Chambers reminded Members that the expected planning application would affect the whole district. The survey carried out by the airport had used some loaded questions. Other Members spoke in support of the motion and Councillor Mrs Caton asked that the officers liaise with East Herts District Council on this matter. Councillor Gregory suggested that the referendum could be held on the same day as the County Council elections. Councillor Chambers said he would pursue this suggestion but he understood that it may not be legally possible. The motion was then put to the vote and carried unanimously.

RESOLVED that the motion be approved.

231

CODE OF PRACTICE : PROBITY IN PLANNING

Councillor Hibbs declared an interest in this item.

Members received a report which recommended the adoption of a Councillor Code of Practice for Probity in Planning and Code of Conduct for planning issues for Members and Officers. The Head of Legal Services advised

Members that it was a living document which would change from time to time. Councillor Ketteridge was concerned that Members would not be able to lobby the Development Control Sub-Committee members about applications in their ward. The Head of Legal Services advised Members that comments were less likely to be challenged if made formally in writing.

In reply to Members' questions it was hoped to arrange some evening workshops on planning matters.

RESOLVED that

- 1 The Code of Practice : Probity in Planning be adopted and
- 2 Paragraph 1.3 of the Procedures for the Standards Committee be amended to include reference to the Code of Practice : Probity in Planning

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POLITICAL BALANCE ON THE COUNCIL

Members received a report informing them of the effect on the political balance of the Council of the recent election in the Chesterfords ward. Members were requested to determine the allocation of seats on the various committees and sub-committees in the light of that election result and of the resignation of Councillor G W Powers from the Liberal Democrat group. Members were also asked to consider the issue of substitution on the Standards Committee and to nominate a representative to replace Councillor Mrs J I Loughlin on the West Essex and District Community Health Council.

Committees

RESOLVED that

- 1 Fourteen Members, ratified by Group Leaders, be on each main Committee.
- 2 Councillor Powers be appointed to serve on the Community Services Committee.
- 3 Councillors Green and Mrs Cornell serve on either the Planning and Development Committee or Policy & Resources Committee.

Sub-Committees

Following discussion, it was

RESOLVED that Group Leaders would agree which Members were to serve on Sub-Committees and that their decision be ratified at the next Council meeting.

Standards Committee

Councillor Mrs Cheetham declared an interest in this item as a Member of the Standards Committee.

RESOLVED that

- 1 where there is a conflict of interest the political group concerned be invited to nominate a substitute to sit on the Standards Committee for that issue
- 2 Councillor G Sell be appointed to sit on the next meeting of the Standards Committee.

Representation on Outside Bodies

Members were informed that although the Community Health Council was to be abolished in 2002 it had proved valuable in recent months for this Council to have its full complement of representatives serving on that body.

RESOLVED that Mrs C A Cant be appointed to the West Essex and District Community Health Council.

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STANDING ORDER 10

Members received a copy of the following questions for the Chairman of Policy & Resources Committee and the Chairman of the Internal Services Sub-Committee from Councillors A Dean and R J Copping under Standing Order 10.

Questions for the Chairman of Policy and Resources Committee

In relation to the proposed management restructuring within the Council, would the chair state and explain:

- 1 Whether she is aware of the full cost of potential redundancy and early retirement that has been assessed by an actuary, and is she satisfied that full and properly authenticated financial details have been provided to enable Members to make a sound decision?
- 2 Whether she has assessed such costs against quantified benefits to the services delivered by the Council and, if so, whether she will now tell the Council what the quantified benefits to the taxpayer will be?
- 3 Whether she will ensure that a report by the District Auditor on the full costs of the changes, together with full details of anticipated benefits, will be provided to the next meeting of the Internal Services Sub-Committee before any irreversible stage of this restructuring process is reached?

Questions for the Chairman of the Internal Services Sub-Committee

In relation to the proposed management restructuring within the Council, would the chair state and explain:

- 4 That no officer who is made redundant and/or given early retirement, will be re-employed by the Council at any time and in any role either directly or via another organisation as consultant or advisor?
- 5 That he agrees that it is bad management practice unsettling to employees of the Council to start a restructuring programme that is likely to lead to redundancy of employees without having first decided whether the Council is willing to accept either the principle of redundancy or the terms that will apply to the employees affected?

RESOLVED that written replies to these questions be circulated to all Members of the Council.

The meeting ended at 10.40pm