

COUNCIL MEETING HELD at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 24 APRIL 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, A Dean, Mrs C M Dean, R C Dean, Mrs C D Down, Mrs S Flack, M L Foley, 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, 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.

345 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs D Cornell and Mrs J E Menell.

346 **MINUTES**

The minutes of the meeting held on 27 February 2001 were received confirmed and signed by the Chairman as a correct record.

347 **BUSINESS ARISING**

(i) Minute 289(iii) Political Balance on the Council

RESOLVED that Councillor D M Miller be appointed to serve on the Planning and Development Committee.

(ii) Minute 291(i) – Thaxted Community Information Centre

The Chief Executive confirmed that the lease for the Thaxted Community Information Centre had been completed.

(iii) Minute 291(v) – New Political Structures – Consultation

The Leader of the Council confirmed that he had taken on board Councillor Mrs Dean's comments that it was not appropriate to rely on the free press to circulate Council information.

(iv) Minute 293(ii) – Hatherley House/Court – Future Arrangements

In reply to Councillor Copping asking whether the Council was pursuing public sector involvement for Redbond Lodge, Councillor Row said that the Housing Services Manager had spoken to the County Council and the sale of Redbond Lodge was not negotiable. Councillor Hibbs expressed concern at newspaper reports about Hatherley House. Many Councillors felt that the elderly persons homes should remain in the ownership of Essex County Council. The District Council must look after the interests of the elderly people of Uttlesford.

Councillor Chambers confirmed that Essex County Council had made the decision to retain one home in each district. Councillor Mrs Flack said that it was a County Council decision and this Council should now accept this and extend what influence it could to ensure conditions in the elderly persons homes were the best that could be provided.

(v) Minute 297 – 30mph Speed Limits through Villages

In reply to a question from Councillor Smith, the Assistant Chief Executive suggested that Members might wish to wait until after the County Council elections to set up a meeting with the appropriate portfolio officer and officers of Essex County Council to discuss highway issues in Uttlesford.

RESOLVED that the appropriate portfolio holder and officers of Essex County Council be invited to a meeting to discuss highways issues in Uttlesford as soon as possible after the County Council elections.

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CHAIRMAN'S COMMUNICATIONS

The Chairman thanked Members for supporting his sponsored swim and attending the fashion show in aid of the Citizens' Advice Bureau. He informed Members that Councillor Mrs Menell had been awarded a prize for the best privately produced children's book of the year. He thanked Members and staff for their support during his year as Chairman of the Council.

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POLICY AND RESOURCES COMMITTEE

The Minutes of the meeting of the Policy and Resources Committee held on 10 April 2001 were received.

(i) Minute 328 – Business Arising – Minute 273 – Proposed Referendum – Stansted Airport

The Assistant Chief Executive informed Members that, at its next meeting, the Policy and Resources Committee would be asked to amend the Minutes to reflect the fact that the Committee had been told that, at the Stansted Airport workshop on 12 March 2001, it had been suggested that an all-party working group be established to make recommendations regarding the purpose and

wording of the proposed referendum. The Committee had agreed that this was a sensible way forward and it had been resolved that a working group be established for the purpose set out above and that the entitlement to seats be 2 each for the Liberal Democrat and Conservative Groups and 1 each for the Independent and Labour Groups.

(ii) Minute 329(i) – Ad-hoc Grants Unused Balance

Councillor Morson asked if £2000 of the unspent balance for ad-hoc grants could be donated to the Rural Community Council for Essex. Several Members thought they would like to support this proposal. Councillor Mrs Flack pointed out that the Grants Advisory Panel had reviewed each case in detail. The Assistant Chief Executive suggested that this matter be referred to the appropriate committee where all applications that had been turned down should be looked at again.

RESOLVED that this matter be referred to the next meeting of the Amenities Sub-Committee on 24 May 2001.

(iii) Minute 331 – Community Strategy

RESOLVED that Group Leaders identify three members to represent the Council at an exploratory partnership meeting.

(iv) Minute 332 – Modernising Political Decision Making for the Council

Members received a report which detailed additional comments made by members of the public who had responded to the consultation exercise on political structures. Eight hundred and sixty six (866) responses had been received from the public on this matter and 78% had favoured a streamlined committee system.

Councillor Gayler said that he could not support the proposed scrutiny committees as they did not make sense in the streamlined committee system. Committees needed to be balanced and the scrutiny system would encourage duplication. The best way forward would be to set up scrutiny committees on an area basis which would give a different outlook across all policy matters rather than one based on specific policy issues. The Council needed to involve the local community. This could be achieved by holding an annual public forum in each of the four main areas. Councillor Chambers reminded Members that they were District Councillors for the whole of Uttlesford. The streamlined committee system would lead to quicker decision making and involve all Members of the Council. Scrutiny committees would look at policy development. Perhaps the word scrutiny was misleading. Scrutiny committees would play a vital role in future Government. The district was one of the leading districts in terms of the response to consultation. Councillor Hibbs thought that it would be wrong to have two sets of committees which could lead to duplication. Councillor Chambers then proposed and it was duly seconded, that:-

- 1 The structure, roles and principles set out in Appendix 1 to the report be approved.
- 2 Officers be instructed to develop new Standing Orders, Financial Regulations and associated matters in consultation with the OJWP for recommendation to the July 2001 meeting of the Council
- 3 Training sessions for Members be arranged to support the transition to the new structure.
- 4 The draft calendar of meetings for the June/July cycle of meetings for 2001 be approved, subject to the meeting of the Contracts Board scheduled for 4 June being moved to 18 June.
- 5 The amended draft calendar of meetings from September 2001 to May 2002 be approved.
- 6 Members of the new Policy and Scrutiny Committees and their Chairmen and Vice-Chairmen be elected at the Annual Council meeting on 8 May 2001.
- 7 The membership of the Council's Committees, Sub-Committees and their Chairmen and Vice-Chairmen remain unchanged until the new Structure comes in on 1 September 2001 with the exception of the Chairmanship of the Highways Sub-Committee.

Councillor Copping asked on what basis a decision had been made to hold scrutiny committees six days after the policy committee. Councillor Mrs Caton replied that Group Leaders had put forward this timescale and it was only the decisions, not the Minutes, which needed to be circulated prior to the scrutiny meeting. This should speed up the decision making process. Councillor Smith said that the Council should meet after nine months of operating the new system to discuss the operation of the new system and to consider any appropriate changes. Councillor Chambers then proposed that the following be added to his original recommendation:-

- 8 A Member only meeting be held in March 2002 to review the new system.
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- Following further discussion it was

RESOLVED that the recommendations be carried as set out above.

(v) Minute 333 – Members' Allowances

Councillor Mrs Caton proposed that :-

- 1 the proposed transitional Members' allowance scheme as detailed in Appendix 2 of the report be approved with effect from 1 April 2001 provided that it was not above the budgeted figure.
- 2 in the event of Members being entitled to more than one special responsibility allowance only one such allowance be paid, being the highest applicable allowance.

Councillor Wilcock felt that the new scheme would be premature in light of legislation that was to be passed. He moved an amendment that the

allowances until 31 August be approved as set out in the report and an independent remuneration panel make recommendations with regard to the level of allowance as from 1 September 2001. The amendment was then put to the vote and lost.

RESOLVED that the motion proposed by Councillor Mrs Caton be approved.

(vi) Minute 335 – Government Consultation on the Future of Aviation

Councillor Mrs Cheetham informed Members that the response by the Strategic Aviation Special Interest Group of the Local Government Association had now been received. If Members wanted a hard copy they could request it from officers.

(vii) Minute 336 – Strategy for Co-ordinating Disability Issues

Councillor Wilcock congratulated Mr Spencer on the strategy he had prepared for co-ordination of disability issues but there was more work to be done.

(viii) Minute 337 – Saffron Walden Initiative “Striving for Success”

Councillor Hibbs said that he was impressed by the document written by the independent local group known as the Saffron Walden Initiative. He said that many of the points raised in the document did not have any financial implication. He suggested that car parking matters be discussed by the Parking Strategy Working Party. Councillor Tyler said that a meeting of the Saffron Walden Initiative had taken place and the Town Council had also been represented at this meeting. It was agreed that the minutes of that meeting be circulated to Members and that Saffron Walden District Councillors be kept informed of future initiatives.

(ix) Minute 341(i) – Proposed Waiting Restrictions High Stile Great Dunmow

Councillor Copping informed Members that Essex County Council at its Development Control and Regulation Committee meeting, had totally disregarded the views expressed by this Council. He understood that the Development Control and Regulation Committee contained a number of representatives from education who had voted on their own application. He felt that strong representations should be made to Essex County Council on the way

- i) the Development Control Sub Committee representations had been ignored and
- ii) Essex County Council had reached its decision.

Councillor Tyler said that a meeting had been arranged with Essex County Council on Monday 30 April and it might be beneficial to write to Essex County Council after that meeting had taken place. Councillor Gayler said

that the schooling situation in Dunmow needed to be addressed. There were solutions in hand in terms of traffic but Learning Services were unwilling to spend money. It was

RESOLVED that representations be made to Essex County Council on the way

- i) the Development Control Sub Committee's representations had been ignored and
- ii) Essex County Council had reached its decision.

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PLANNING AND DEVELOPMENT COMMITTEE

The Minutes of the meeting of the Planning and Development Committee held on 22 March 2001 were received.

(i) Minute 304 – Planning Policy Guidance Revised Consultation Paper – Development and Flood Risk February 2001

Councillor Wilcock commented that there was no reference to lessons being learnt on how to prevent a repeat of the incidents of last winter. The Assistant Chief Executive said that Essex County Council Transport and Operational Services were intending to arrange meetings between all agencies affected, including the Environment Agency to clarify responsibilities at times of flooding.

In reply to Members' questions about the tunnel/Slade which ran under Saffron Walden, the Chief Executive said the District Council had facilitated meetings and was working with the Environment Agency. Councillor Mrs Tealby-Watson commented that the letter sent to MAFF should make reference to other contributory factors in connection with the flood defence policy.

(ii) Minute 306(ii) – Business Development Services (North West Essex)

Councillor Copping informed Members that in Great Dunmow there had been a 75% reduction of services offered from Business Development Services (North West Essex) and a 58%, reduction in Saffron Walden. He informed members that Great Dunmow's largest employer was moving out of the town.

RESOLVED that the Minutes of the meeting of the Planning and Development Committee held on 22 March 2001 be approved and adopted.

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COMMUNITY SERVICES COMMITTEE

The Minutes of the meeting of the Community Services Committee held on 3 April 2001 were received.

(i) Minute 314 – Hatherley House Saffron Walden

Councillor Hibbs expressed concern that Saffron Walden could lose the use of Stanley Wilson Lodge as an elderly persons home. He asked that the District Council should remain vigilant in retaining at least one care home for the elderly in Saffron Walden.

RESOLVED that the Minutes of the Community Services Committee held on 3 April 2001 be approved and adopted.

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LEISURE (PFI) BOARD

The Minutes of the meetings of the Leisure (PFI) Board held on 27 February and 3 April 2001 were received.

(i) Minute PFI71 – Update on Progress of Negotiations

Councillor Mrs Caton asked for assurance that the Leisure (PFI) Board was happy that the scheme was progressing in a satisfactory manner. Councillor Row answered saying, essentially, yes.

RESOLVED that a special meeting of the Policy and Resources Committee be arranged in May and a special Council meeting in June 2001.

RESOLVED that the minutes of the meetings of the Leisure (PFI) Board held on 27 February and 3 April 2001 be approved and adopted.

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STANDARDS COMMITTEE

The Minutes of the meeting of the Standards Committee held on 17 April 2001 were received.

(i) Minute S4 – Conduct of a Member

RESOLVED that

- 1 Councillor Powers be not appointed to represent the Council on any outside bodies in 2001/02 and
- 2 In the event of Councillor Powers failing to comply with Resolution 2 of Minute S4 by 8 May 2001 he be not appointed to any of the Council's committees or sub committees for 2001/02.

(ii) Minute S5 – Complaints Monitoring

RESOLVED that the principles of the Equal Opportunities Policy and Harassment Policy and Procedure be taken into account when a review is undertaken of the Councillors' Code of Conduct.

(iii) Minutes S6 – New Ethical Framework

RESOLVED that the Council adopt the revised general principles.

Councillor Mrs Cant asked why the two cases that had been dealt with by the Standards Committee had been treated differently. Councillor Mrs Caton explained that the two situations had been different. One had taken place at an open meeting and the circumstances were therefore different. The Chief Executive assured Members that the Standards Committee would look carefully at the issues raised.

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NIGHT FLIGHTS AT STANSTED AIRPORT

The Council received the following motion proposed by Councillor P Wilcock and seconded by Councillor Mrs E Tealby-Watson:-

“That this Council calls on Stansted Airport Ltd to put in place a plan to reduce passenger night flights to zero between the hours of 23.00 and 06.00. This should be implemented within a period of no longer than two years. It also calls on the airport to review cargo night flights with a view to rescheduling those movements, and institute a total ban within a period of not longer than five years.

That this council endorses the principle of a complete night flight ban, and seeks to move those flights to more socially acceptable hours for staff, passengers and local residents who are inconvenienced by those flights in the current unsocial hours. The timescale for this implementation should allow for the redeployment of staff to ensure no loss of jobs at the airport during the period of expansion towards 15 million passengers”

Councillor Wilcock spoke to his motion and said that the local residents and workers at Stansted Airport should come first. Heathrow was going through a similar process and had gone to the European court to stop night flights at Heathrow Airport. He urged all Members to support the motion.

Councillor Mrs Tealby-Watson said that all residents were concerned about the expansion of Stansted Airport and that this was a way the Airport could signal their acceptance to work with the Council.

Councillor Mrs Cheetham reminded Members that this Council had written to the Department of the Environment Transport and the Regions on several occasions. Other airports, eg. Sydney, had already banned night flights.

RESOLVED that this Council calls on Stansted Airport Limited to put in place a ban to reduce passenger night flights between the hours of 23.00 and 06.00.

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MOTION FOR LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY

Colchester Borough Council had written to all Essex authorities asking them to support the following Notice of Motion:-

“That the Local Government Association General Assembly calls upon the Government to consider designating as preferential debt the national non-domestic rate liability for businesses in administrative receivership, so that such businesses may continue to trade without unfair competitive advantage compared with other businesses in the community.”

RESOLVED that Colchester Borough Council be informed that this Council supports the motion.

The meeting ended at 9.40pm