

COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 16 OCTOBER 2001

Present:- Councillor D W Gregory – 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, R C Dean, Mrs S Flack, M A Gayler, Mrs E J Godwin, R D Green, 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 M Miller, D J Morson, R J O'Neill, A R Row, G Sell, R W L Stone, Mrs E Tealby-Watson, A R Thawley, R B Tyler and P A Wilcock.

Officers in attendance:- Mrs E C Forbes, F Chandley, J B Dickson, A Farrow, B D Perkins and M T Purkiss.

C1 APOLOGIES

Apologies for absence were received from Councillors A Dean, Mrs C M Dean, Mrs C D Down, M L Foley, Mrs J E Menell, Mrs S V Schneider and R C Smith.

The Leader reported that Councillor Mrs Down had recently been ill and had been taken to hospital. Members extended their best wishes to her for a full and speedy recovery.

C2 MINUTES

Members received the Minutes of the meeting held on 2 July and of the Special Meeting of the Council held on 28 August 2001 together with a report concerning a suggested amendment to Minute 71 of the Special Council meeting held on 28 August to reflect Members' intentions in relation to the call-in procedure.

It had been made apparent at the meetings of the Overview and Scrutiny Committees held respectively on 12 and 26 September 2001 that rule 7.4 of the Overview and Scrutiny Procedure Rules as presented to those committees did not reflect the intentions of Members at the Special Council meeting on 28 August. The rule as it stood stipulated that a decision or action should be called in at the request of the Chairman of the appropriate scrutiny committee plus two other members of the Council. There appeared to be a clear consensus that Members had intended that the procedures should be initiated at the request of any three Members of the Council, one of whom might be the Chairman of the appropriate Scrutiny Committee.

It was therefore

RECOMMENDED that Minute 71 be amended to read as follows:

- 1 Rule 7.4 be amended so that a decision or action could be called in at the request of any three Members of the Council, one of

whom may be the Chairman of the appropriate Scrutiny Committee.

Councillor Mrs Flack moved an amendment, which was duly seconded, in the following terms:

- 1 Rule 7.4 be amended so that a decision or action could be called in at the request of any three Members of the Council, but none of those Members shall be a member of the appropriate lead committee.

A number of Members suggested that they needed more time and information to enable them to decide whether a matter should be called in. Currently a decision list was circulated within two working days of the meeting to all Members and Councillor O'Neill suggested that, in addition to including details of the decisions, the reasons for those decisions should be added, as had been agreed previously.

Councillor Copping said that if the amendment was approved it would exclude some Members from the call-in process and this would be an erosion of the democratic process. However, Councillor Ketteridge felt that if the amendment was not approved, there could be a danger of too many decisions being called in and the intention of the amendment was right. The Chief Executive clarified that - rule 7.1 of the Overview and Procedure Rules set out the principal that call-in should be used only where Members considered that there had been a significant departure in policy.

On being put to the vote, the amendment was carried and it was therefore resolved that Minute 71 of the Special Meeting of the Council held on 28 August 2001 be amended to read as follows:-

- 1 Rule 7.4 be amended so that a decision or action could be called in at the request of any three members of the Council, but none of those members should be a member of the appropriate lead committee.

Subject to the above amendment, the Minutes of the meeting held on 2 July and of the Special Meeting held on 28 August 2001 were confirmed and signed by the Chairman as correct records.

C3

BUSINESS ARISING

(i) Minute 58 - Minutes

Councillor Mrs Cheetham asked if it would be possible to combine the agenda for future Council meetings with the Minute Book. Councillor Mrs Flack also suggested that folders should be provided to Members to enable them to retain relevant committee papers. There was unanimous support for these proposals.

(ii) Minute 56 – Statement by Ms Sophie A Crouch – Global Warming

The Leader of the Council said that, following the events in the USA on 11 September, it had not been thought appropriate to discuss this matter at the

last meeting of the Environment and Transport Committee. However, it would be debated at a future meeting.

(iii) Minute 62(i) – Hatherley House

In response to a question from Councillor Mrs Bayley, the Leader stated that negotiations with a private contractor were still ongoing and he would provide her with further details following the meeting.

(iv) Minute 71 – The Council's New Constitution

Councillor Copping urged that an early meeting of the Constitution Task Group should be arranged to deal with a matter which had arisen at the last meeting of the Development Control and Licensing Committee. He said that under the new constitution, the determination of planning applications was the responsibility of the Development Control and Licensing Committee. However, at the last meeting, the Head of Planning and Building Services had exercised his executive powers to refer a planning application to the Environment and Transport Committee. Councillor Copping felt that there was no hierarchy of committees under the new structure and that it would be inappropriate for the Development Control and Licensing Committee to be overruled by a committee which had not received the detailed training which had been provided to Members of the Development Control and Licensing Committee.

Councillor Tyler expressed some concern at the referral process. However, he confirmed that the Head of Planning and Building Services had acted totally in accordance with the Procedural Rules. He felt that, in future, Members should address whether referral should be to the Council rather than to the Environment and Transport Committee.

The Assistant Chief Executive advised Members that a meeting of the Task Group would be held in November.

Councillor Gayler then referred to the time given for Members to submit questions under Council Procedure Rule 8.2. He said that 5 working days notice was required and considered that this should be amended to 2 working days. In order to assist Members in deciding whether questions should be asked under this procedure rule, he felt that Minutes should be available earlier than at present. The Chief Executive clarified that Minutes were published as soon as possible after the meeting and were then included in the bound Minute Book at a later stage. A decision list was also issued within 2 working days of a meeting being held.

However, Councillor Hibbs felt that it was equally important to receive full Minutes as soon as possible after meetings to enable Members to have the full picture. Councillor Merrion also suggested that Minutes should be placed on the intranet earlier than at present.

RESOLVED that the period of notice for questions under Council Procedure Rule 8.2 be amended to 2 working days.

Members then considered a written report concerning the rationalisation of the way committee authority to establish task groups was dealt with in the Council's new constitution.

Since the Special Council meeting on 28 August, it had emerged that there were inconsistencies in the way committee authority to establish task groups was dealt with in the Council's new constitution. The power of both Policy and Overview and Scrutiny Committees to establish task groups and working parties was referred to in paragraphs (h) and (i) of the Council's summary constitution. It was also included in the paragraph in the Council's Delegation Scheme setting out the overall role of policy committees. However, the power was not referred to in either the terms of reference or delegation of scrutiny committees.

It was considered that this anomaly needed to be rectified now rather than be referred to the task group. It was therefore

RESOLVED that, in the Council's Delegation Scheme,

- 1 the authority for policy committees to appoint task groups and working parties be transferred from "Policy Committees – Overall Role' to "Delegation to all Policy Committees", and
- 2 authority to appoint task groups and working parties be included in the Terms of Delegation of Scrutiny Committees.

(v) Minute 72 – Stansted Airport Referendum Group

In response to a question, the Director of Community Services confirmed that contact had been made with the Uttlesford Association of Local Councils concerning its proposed referendum. Advice and assistance had been given and the consultation process had commenced. It was understood that the results would be available by the end of November.

C4

CHAIRMAN'S COMMUNICATIONS

The Chairman expressed his delight at the Sunday Times survey which had described Uttlesford as the best place to live in the United Kingdom. He intended to write to all parish and town council chairmen and mayors to pass on this Council's appreciation for the efforts of those authorities. As educational standards had been an important part of the survey he would also be expressing thanks to the heads of local schools. He added that Stoke on Trent had been placed bottom in this survey and following a meeting with the Lord Mayor of Stoke there would be an exchange visit with that Council.

The Chairman reported that Helen Rees had been a student placement with the Council and had carried out a Young Persons Community Safety Survey. The survey had been awarded as the best presentation of a community project by Shell UK.

The Chairman reported that on Remembrance Day this year he would be laying a wreath at the war memorial in Great Dunmow and the Vice-Chairman

would lay a wreath at Saffron Walden. He added that the civic carol service would be held on 7 December at the Holy Cross Church, Felsted.

The Chairman said that the Flich Way Walk had been particularly successful and it was likely that over £1,000 would be raised. The Guess the Weight of the Chairman competition was still ongoing and £394 had been raised at Saffron Walden. The Chairman would also be at the Tesco Store in Great Dunmow on 27 November and hoped that this figure would be exceeded.

In the new year, he was hoping to arrange a quiz and a writing competition for children. He also asked if Members were interested or able to help with a fashion show.

C5 LOCAL STRATEGIC PARTNERSHIP

The Chief Executive reported that the Local Government Act 2000 placed on principal authorities a duty to prepare community strategies for promoting or improving the economic, social and environmental well being of their areas and contributing to the achievement of sustainable development. It also provided authorities with broad new powers to improve and promote local well being as a means of helping them to implement those strategies.

The Government's guidance emphasised the importance of involving local communities in the strategy. It was also seen as essential that the strategy was prepared and implemented by a broad local strategic partnership through which the local authority could work with other local bodies. These issues had been considered by the Policy and Resources Committee in April 2001 and two exploratory meetings had been held and proposals for a local strategic partnership arising from these had been drafted. The Council's representatives at these meetings had been Councillors Mrs Caton, Mrs Dean and R C Dean. Work was also progressing on a consultation process to inform the development of a community strategy and a community conference was being planned for 27 November 2001.

The Government guidance saw the establishment of a local strategic partnership as an opportunity to rationalise existing strategic planning processes. It was envisaged that such partnerships should involve the key players in an area and details of a proposed core group were submitted. Councillor Mrs Tealby-Watson felt that there were a number of their groups which should be included, such as mother and toddler groups and sports clubs. The Chief Executive said that those on the list were the core group and others would be invited.

Councillor Copping said that whilst the proposed partnership was very worthwhile he did not feel that the Council could enter into it at this particular time when it was being asked to make significant budget cuts. Councillor Gayler concurred with this view and whilst he felt that the community conference and public consultation was important, the partnership arrangements appeared to be over bureaucratic.

The Chief Executive clarified a number of points raised by Councillor O'Neill and confirmed that the sum of £15,000 had been set aside for community planning in the current financial year.

Councillor Mrs Flack suggested that the public service agreements included in the partnership were a means of bidding for government funding. She said that it was important to ascertain what the proposed targets were and what the impact on Uttlesford would be. Councillor Thawley added that Essex had set up a draft public service agreement on waste which he felt confident would attract Government funding.

The Chief Executive said that in addition to the community conference it was intended that a leaflet would be circulated to every household and a Member Workshop on 12 November would examine these issues in more detail. She hoped that Members would act as ambassadors in the community planning process. The production of a community strategy was a statutory requirement and she hoped that there would be a positive outcome for Uttlesford.

RESOLVED that

- 1 the Council endorse the establishment of a local strategic partnership for Uttlesford on the basis set out in the report.
- 2 Councillors Mrs Caton, Mrs Dean and R C Dean be confirmed as its representatives in the core group of the partnership.

C6

MATTERS ARISING FROM COMMITTEES

(i) Health and Housing Committee – Housing Strategy (Minute HH3)

Members considered the recommendations contained in Minute HH3 of the meeting of the Health and Housing Committee held on 6 September 2001.

RESOLVED that the Housing Strategy Statement 2002-06 and the 2001 Housing 30 year business plan be approved for submission to the Department of Transport, Local Government and the Regions.

(ii) Resources Committee - Policy, Priorities and Budget 2002/03 (Minute RE6)

Members noted that Minute RE6 of the Resources Committee of 20 September 2001 was a resolved item and the minute be dealt with at the next meeting of that committee.

(iii) Resources Committee - Budget Strategy 2002 – 03 (Minute RE7)

Members considered the recommendations contained in Minute RE7 of the Resources Committee meeting held on 20 September 2001. The Leader of the Council introduced this item and put forward the administration's policy priorities and vision for the district. He said that the Council needed to have a flexible approach on all issues and must investigate different ways of

delivering a first class service to tax payers which was cost-effective, efficient and provided the majority of the residents with the service they wanted.

He said that the Council must work more collectively with other organisations to form real partnerships. The Council was very fortunate in that it had committed elected Members and staff ready to explore all avenues of enhanced partnership working. Any strategies must become genuine partnerships where action happened and tangible benefits to the district occurred. He referred to the success of the Community Information Centre in Thaxted and to the potential links with the Primary Care Trust to illustrate this point.

He also referred to the possible transfer of the Dunmow offices to Saffron Walden. He said that if this happened, a top quality Community Information Centre would be provided in Dunmow and staff who would need to move to Saffron Walden would not be disadvantaged. He said that the Council should look rigorously at all staff replacements, but at the same time encourage officers to promote their careers and give them flexibility to be able to cope with the inevitable changes happening in local government. He concluded that without good staff, Uttlesford would not be successful and the Council realised the effort made by staff to make things run smoothly.

He then formally proposed that:

- 1 The Council approves the target cash limits for each policy committee as considered by committees during this cycle of meetings,
- 2 policy committees be invited to propose draft budgets at the November cycle of meetings which reflect the agreed cash limits, and
- 3 The administration's policy priorities which had been circulated to all members on 31 August 2001 be formally adopted.

Councillor Gayler said that he could not support these recommendations and he expressed concern at the lack of information on how the Committee savings had been derived. Councillor Copping also expressed his concern at the proposed closure of the Dunmow offices and, having regard to the population increase in the south of the district, he did not feel that a community information centre would be sufficient. He said that a significant Council presence would be required in Great Dunmow. Councillor Hibbs added that he was concerned that if Members agreed the recommendations tonight, there would be cash limits and there was no flexibility within the recommendations.

Councillor O'Neill said that the Leader had given a clear programme for the future which was a step forward. Councillor Wilcock welcomed the vision put forward by the Leader. However, he said that real partnerships should include consultation with the public and the business community.

The Leader confirmed that the proposed savings identified in the priorities were target cash limits and there would be an opportunity for all Members to discuss any items before the Council decided its budget for the coming year.

RESOLVED that

- 1 the Council approves the target cash limits for each policy committee as considered by committees during this cycle of meetings
- 2 policy committees be invited to propose draft budgets at the November cycle of meetings which reflect the agreed cash limits, and
- 3 the administration's policy priorities which had been circulated to all Members on 31 August 2001 be formally adopted.

C7 MONITORING OFFICER

Following the resignation of the Head of Legal Services, it was necessary to appoint a Monitoring Officer for a temporary period. Interviews for the post of Head of Legal Services would be held on 17 October and, depending on the experience and expertise of the successful candidate, the situation would be reviewed at a later date.

RESOLVED that the Assistant Chief Executive be appointed temporary Monitoring Officer and that the situation be reviewed in due course.

C8 APPOINTMENTS TO OUTSIDE BODIES

(i) Saffron Walden Homeless Action Steering Group (Wintercomfort)

Following the resignation of Councillor Row from this Group, it was

RESOLVED that Councillor Hibbs be appointed as this Council's representative on Wintercomfort for the remainder of the municipal year.

(ii) Uttlesford Police and Community Consultative Group

Following the resignation of Councillor Smith from this Group, it was

RESOLVED that Councillor Mrs Caton be appointed as this Council's representative on this Group for the remainder of the municipal year.

C9 STANSTED AIRPORT ADVISORY PANEL

The Chairman agreed to this matter being considered as an item of urgent business since a decision was required before the panel met on 22 October

Councillor Gayler suggested that the constitution of the Panel should be amended to increase the number of Members to 10, with:

4 Liberal Democrats, 2 Conservative, 3 Independent and 1 Labour Member

However, Councillor Chambers suggested and moved that the number of Members should be increased to 11 with 4 Liberal Democrat, 3 Conservative, 3 Independent and 1 Labour Member. On being put to the vote, the proposal put forward by the Leader was approved and group leaders were asked to confirm their representatives as soon as possible.

The meeting ended at 9.50 pm.