

**SPECIAL COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN on 28 AUGUST 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,  
A Dean, R C Dean, Mrs C D Down, Mrs S Flack, R D Green,  
D M Jones, P G F Lewis, Mrs C M Little, Mrs J E Menell,  
D M Miller, D J Morson, R J O'Neill, A R Row, G Sell,  
R W L Stone, A C Streeter, A R Thawley, R B Tyler and  
P A Wilcock.

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

69 **APOLOGIES**

Apologies for absence were received from Councillors Mrs C M Dean,  
M L Foley, M A Gayler, Mrs E J Godwin, M A Hibbs, A J Ketteridge,  
Mrs J I Loughlin, R A Merrion, G W Powers, Mrs S V Schneider, R C Smith  
and Mrs E Tealby-Watson.

70 **CHAIRMAN'S COMMUNICATIONS**

The Chairman reminded Members that he had organised a sponsored walk  
along the Flitch Way on Sunday 2 September 2001. He asked all Members  
either to take part or to consider sponsoring one of the participants.

The Chairman reminded Members that the Friends' family day would be held  
in Bridge End Gardens, Saffron Walden from 3 – 5pm on Sunday  
16 September 2001. The Saffron Walden Swing Band and a choral group  
called the Voice Squad would be performing at the event.

71 **THE COUNCIL'S NEW CONSTITUTION**

At its meeting on 2 July 2001, the Council had approved in principle draft  
Council Procedures, Financial Regulations, Delegation Scheme and Access  
to Information Procedure Rules. It also authorised the Officers to submit a  
summary draft constitution to the Department of Transport Local Government  
and the Regions to enable the new structure to be in place by 1 September  
2001. The Chief Executive had duly submitted the draft summary constitution  
and receipt had been acknowledged.

The documents considered on 2 July had been revised in the light of the  
comments made by Members and officers. Documents relating to the Over-  
view and Scrutiny Procedure Rules, Finance, Contracts and Legal matters  
and Officer Employment Procedure Rules were also submitted for approval.

Members then considered each of the documents submitted for approval and some Members expressed disappointment at the lateness of the circulation of the documents. In relation to the summary constitution, it was clarified that item (r) related to executive arrangements which were not applicable to Uttlesford.

Councillor O'Neill said that officers should be congratulated on providing an excellent set of papers which were clear and comprehensive.

In relation to the Council Procedure Rules, Councillor A Dean felt that there needed to be consistency on deadlines, eg the discrepancy between notice of meetings and notice of motions. He added that in the event of reports not being available with the agenda, they should be deferred to the next meeting. Councillor Chambers agreed that due time needed to be given for the consideration of reports. Councillor A Dean felt that whilst the statutory period of notice was three working days, this should be extended to five working days and it was

RESOLVED accordingly.

The Financial Regulations were agreed subject to minor amendments to the text.

Members then considered details of the proposed Delegation Scheme. Following discussion, a number of amendments were made to the text and Members were also asked to consider a number of specific issues. They

RESOLVED that the provision of public conveniences should be the responsibility of the Health and Housing Committee and that issues concerning rights of way should remain with the Development Control and Licensing Committee for the time being.

Officers suggested that street naming and numbering currently with the Health and Housing Committee might be more logically within the Environment and Transport Committee. However, Members agreed that officers should investigate whether this matter could be delegated to town and parish councils.

Consideration was then given to the Access to Information Procedure Rules. Members agreed to delete any reference to "Sub-Committee" from this section.

Members considered the Overview and Scrutiny Procedure Rules. Councillors Copping and Morson, the Chairmen of the Scrutiny Committees, thanked the Assistant Chief Executive and other officers for their assistance in addressing matters which they had raised concerning these Rules. Councillor Morson expressed some concern at the timescale between the meetings of Policy and Scrutiny Committees, but agreed that this matter could be addressed in the review next year. Following detailed discussion of the Procedures, it was

RESOLVED that

- 1 Rule 7.4 should be amended so that that a decision or action could be called in at the request of the Chairman of the Scrutiny Committee, plus two other Members.
- 2 The procedure would include decisions taken by Officers but would not apply to day to day management actions of Officers.

Members had no comments to make on the section relating to Finance, Contracts and Legal matters.

In the section concerning the Statutory Officers – Protocol, it was

RESOLVED that the paragraph naming the relevant post holders should be deleted.

Members had no comments on the section relating to Officer Employment Procedure Rules.

RESOLVED that

- 1 the Council confirm its intention to adopt a political management system under the alternative arrangements provisions of the Local Government Act 2000,
- 2 the new constitution, as amended, be formally approved to take effect from 1 September 2001,
- 3 the constitution be reviewed annually and a Member only meeting be held early in 2002 to consider how the new system had worked in its first few months,
- 4 an all party Task Group be set up immediately to monitor the constitution's operation to help both the formal review process and the Member only meeting - the constitution of the Task Group to consist of two Conservatives, two Liberal Democrats, one Independent and one Labour representative.

72

## **STANSTED AIRPORT REFERENDUM GROUP**

Members considered the Minutes of the Stansted Airport Referendum Group meeting held on 25 July 2001. Councillor Lewis advised Members that the Uttlesford Association of Local Councils had decided to hold a referendum for all Uttlesford residents concerning the airport. Some Members felt that, if the Council was to proceed with a referendum, it would be appropriate to liaise with the Association of Local Councils to consider a joint exercise.

Councillor Mrs Caton moved and it was seconded by Councillor O'Neill that:

- 1 the referendum addressed the longer term strategic issues, in order to influence the development of Government policy
- 2 the Council collects information and advice so it can carry out its referendum during the consultation period on the SEERAS study
- 3 the Council decides the appropriate committee/group to progress this work.

Councillor A Dean moved an amendment which was seconded by Councillor Wilcock in the following terms:

- 1 The referendum addresses the expansion of Stansted Airport beyond existing permissions in both the short term and the long term.
- 2 The Council informs the public and, through the referendum, obtains the views of the public on the social, economic and environmental impact on the district of growth beyond the existing permissions.
- 3 The matter is referred to the relevant Scrutiny Committee to make recommendations to the Council by 20 December 2001 to proceed with the referendum by February 2002.

The amendment was put to the vote and was lost with 12 Members for and 17 against. In relation to the original motion, a number of Members suggested that the appropriate body to progress this should be the Stansted Airport Referendum Group. However, Councillor Mrs Caton pointed out that 4 of the 5 members on the Group were also members of the Development Control and Licensing Committee and suggested that the membership of the group should be reviewed.

Councillor A Dean moved a second amendment which was seconded by Councillor Wilcock and proposed that the reference to the SEERAS study be deleted and that the words "as soon as possible" should be inserted in recommendation 2 of the original motion. However, on being put to the vote, this amendment was lost. Councillors Mrs Caton and O'Neill then agreed to amend their original proposal by amending item 3 to read:

"the Stansted Airport Referendum Group be responsible for progressing this work and Group Leaders be asked to review the membership of this group;"

and by adding a fourth resolution in the following terms:

"4 Officers undertake consultation with the Uttlesford Association of Local Councils concerning their proposals to hold a referendum.

On being put to the vote this amendment was carried with 17 votes for and 4 against.

## 73 HEAD OF LEGAL SERVICES

The Chairman reminded Members that Joy Postings, the Head of Legal Services, would be leaving the Council's employment to take up a post with Cambridgeshire County Council. On behalf of Members, the Chairman said that he would be sorry to see Mrs Postings go and thanked her for the valuable work she had undertaken and wished her well in her new career.

Members were asked to consider the establishment of a panel to appoint a replacement Head of Legal Services.

RESOLVED that a panel be established comprising two Conservative, two Liberal Democrat and one Independent Member.

## 74 NOTICES OF MOTION

### (i) Chelmsford's application for City Status

Members considered the following Notice of Motion proposed by Councillor Chambers and duly seconded:

"The Council supports Chelmsford's application to be awarded City status in 2002."

RESOLVED that the Motion be approved.

### (ii) BAA's Planning Application

Members considered the following Notice of Motion proposed by Councillor A Dean and duly seconded:

"This Council requests the Resources and Environment Scrutiny Committee to investigate, and make recommendations to Council, how the Council can ensure that the general public and interested organisations are provided with information that is balanced and diverse on BAA's planning application for the expansion of Stansted Airport, so that any person or organisation wishing to make representations to the Council or participate in any referendum is fully aware of all possible implications of an expansion of the airport beyond present limits".

Following discussions, the Motion was amended to delete the reference to Resources and Environment Scrutiny Committee and to insert "the Environment and Transport Committee". On being put to the vote, it was

RESOLVED that the Motion, as amended, be approved.

The meeting ended at 9.45 pm.