

**COUNCIL MEETING HELD at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 15 APRIL 2003**

Present:- Councillor A J Ketteridge – Chairman.  
Councillors 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, R D Green, D W Gregory, D M Jones, P G F Lewis, Mrs C M Little, Mrs J I Loughlin, Mrs J E Menell, R A Merrion, D M Miller, D J Morson, A R Row, Mrs S V Schneider, R C Smith, R W L Stone, A C Streeter, A R Thawley, R B Tyler and P A Wilcock.

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

**C9 33 ENGINEER REGIMENT (EOD) – CARVER BARRACKS**

The Chairman of the Council informed the meeting that on behalf of Members and officers he had sent a letter to 33 Engineer Regiment concerning the two officers from Carver Barracks who had lost their lives in Iraq recently. He read the letter which expressed the Council's support, deepest sympathy and best wishes to all the soldiers at the Barracks and hopes for them that the war would end soon. A reply had been received from Lieutenant Colonel Trowlan informing the Chairman that the Council's support had been very much appreciated, had been passed on to the two soldiers' families and was most helpful to all the soldiers at this time. He asked that their gratitude be passed on to all at the Uttlesford District Council.

Members and officers stood in silence as a mark of respect for the two Carver Barracks soldiers and the other 28 British soldiers lost during the action in Iraq to date.

**C10 APOLOGIES**

Apologies for absence were received from Councillors E C Abrahams, Mrs D Cornell, Mrs E J Godwin, M A Hibbs, R J O'Neill and G Sell.

**C11 DECLARATIONS OF INTEREST**

The Head of Legal Services declared a prejudicial interest in item 8 on the agenda and stated that he would leave the Chamber when that matter was being discussed.

**C12 MINUTES**

The Minutes of the meeting held on 11 February 2003 were received, confirmed and signed by the Chairman as a correct record.

**BUSINESS ARISING****(i) C82 – General Fund Revenue Estimates 2003/04 – Funding of Community Wardens**

Councillor A Dean voiced concern that the £50,000 the Council had set aside for the Community Warden Scheme might possibly be used to fund wardens working in districts other than Uttlesford.

Councillor R C Smith agreed with Councillor G Sell's comments at the last meeting that District Council funding of community wardens was being requested when the police precept had substantially increased. He was doubtful that the Chief Constable would be available to discuss this.

Councillor R P Chambers, the Leader of the Council, declared an interest insofar as he was the Chairman of the Police Authority. He explained that the Home Office had decided that 'wardens' would be designated 'Community Support Officers'. The Essex Police Authority was providing £1 million for this scheme and had bid for a further £1m from central funds. As regards the money set aside by the District Council, the Leader stressed that, if officers were allocated to Uttlesford following consultation by the Chief Constable, they would serve only Uttlesford.

Councillors R A E Clifford and M L Foley stressed the importance of providing adequate policing whatever the designation of the officers and they were concerned that fully trained police were so thinly spread.

The Leader informed them that Special Constables were a top priority and that he would be pressing, at a conference on Special Constables which was to take place shortly, for more of these to be recruited. He had investigated the reasons for the drop in the number of Special Constables and had been told by the Commandant of Special Constables that about 200 of the original 600 had been unable to find time to carry out their duties. The 380 who were still working formed a vital part of the extended police family. There was no intention to reduce the number of regular police in the area. Although officers were few in Uttlesford, crime was proportionately low. The Leader felt that it was important to have officers highly visible to reassure the public and reduce the fear of crime as well as to prevent it.

Councillor Mrs C A Cant expressed the view that it was a dangerous precedent for the District Council to pay for what should be in the police budget.

Councillor R B Tyler stressed the importance of high visibility police. Councillor R C Dean asked whether Community Support Officers would be unpaid like Special Constables. The Leader explained that the Community Support Officers would be paid approximately £17,000 per annum, which compared with a probationary police constable's salary of £20,000 per annum. The possibility of paying Special Constables was under discussion.

C14

## **CHAIRMAN'S COMMUNICATIONS**

At the Chairman's invitation, Councillor Mrs J F Cheetham informed the meeting that she would again be walking the Playtex moonwalk half marathon with her daughters, to raise money for Breakthrough Breast Cancer. She invited Members to sponsor her for this event.

The Chairman invited all present to stay for a glass of wine after the meeting since it was the last in the life of this Council, and of his as Chairman. Seven Councillors were leaving the Council this year, namely, Councillor G W Powers, who had served for 15 years, Councillor Mrs C M Little, (for 8 years), Councillor R A Merrion, (for 6 years), Councillor Mrs D Cornell, (for 12 years), Councillor R C Dean, (for 12 years), Councillor Mrs M A Caton, (for 8 years) and Councillor A C Streeter, who had served for 41 years and was one of the four Members remaining from the original Council in 1974. Councillors E C Abrahams, D M Miller and R D Green were standing for the Council again and Councillor A C Streeter was going on to serve the wider community in another capacity in due course.

The Chairman stated that this would also be the last Council meeting for Tony Forrow, who would be sorely missed. He had begun Local Government Service in May of 1971 for the Dunmow Rural District Council. The Council would be much the poorer when he had left.

He added that Jane McKie had organised a Chairman's raffle for charity and encouraged Members to buy tickets.

C15

## **LEADER'S COMMUNICATIONS**

The Leader reminded Members that the Council had asked him to write to County Councillor R L Bass, the portfolio holder for Highways, about gritting in rural areas. He had not yet received a reply, but had spoken to Councillor Bass who hoped to enhance and improve the gritting process over the whole district, with particular emphasis on rural areas. The Leader explained that Councillor Mrs S Flack was deputy and suggested that Members should direct enquiries to her.

The Leader referred to the impending retirement of Tony Forrow, the Assistant Chief Executive, following his long career in the Local Government Service. The Leader stated that he had been fortunate enough to be in close contact with Tony Forrow for many years. His courtesy, fairness and total impartiality were exemplary. His contribution to the community had been indispensable. He offered Tony Forrow the thanks of Uttlesford District Council for having been a very great servant to the Council and all Members' wishes for a successful, long and happy retirement.

The Chief Executive said that she was sure the Leader's sentiments would be echoed by every officer of the Council. Tony Forrow was an officer of enormous integrity whose colleagues valued him very highly.

Tony Forrow thanked the Leader and Members for their kind words and stressed that he had been very fortunate and owed a great deal to those he

had worked with and for. It was the end of an era and a new start, both for the Council and for him. He offered the Council his best wishes for the future.

C16

## **MATTERS ARISING FROM COMMITTEES**

### **(i) Resources Committee – 20 March 2003 – Minute RE77 - Capital Programme 2003/4**

Councillor A Dean proposed that the recommendation in Minute RE77 of the Resources Committee meeting held on 20 March 2003 be modified to reflect the fact that funds were now available to progress the housing schemes. This proposal was seconded.

The Director of Resources stressed that Government proposals on housing finance were still very fluid. At the time when the Resources Committee had met, the recommendation had been intended to support funding on social housing which had previously been covered by Housing Corporation grant. Meanwhile, officers had negotiated with the Housing Corporation through its approved Development Programme and it appeared that funds would be available from the Corporation to cover this programme instead of using the Council's capital receipts. Councillor Mrs Flack suggested that the recommendation should stand until the funds were received since things might change.

Councillor Mrs M A Caton stressed that funding of the schemes by the District Council would send the wrong message to the Government about the effect of withdrawal of the money originally committed by them. She therefore moved an amendment that the recommendation as printed should stand. Councillor A Dean compared the cost of supporting the proposed programme in the sum of £1.8m with the estimated total capital receipts from council house sales in the sum of about £11m.

The Director of Resources, in answer to a question from Councillor Mrs Cheetham, confirmed that the Council had been told the funds would be available from the Housing Corporation, but there was still much room for change. The relevant bill was still being progressed through Parliament. He added that the £1.8m had been the figure quoted as necessary to top up the housing budget for the current year, whereas the £11m had been the figure estimated as the total capital receipts as at 1 April 2004. The amendment to Councillor Dean's proposal, having been seconded, was put to the vote and carried.

RESOLVED that the recommendation contained in Minute RE77 of the meeting of the Resources Committee held on 20 March 2003 be approved and adopted.

### **(ii) Resources Committee – 20 March 2003 – Minute RE80 – Approval of Code of Corporate Governance**

Members then considered and approved the Code of Corporate Governance submitted pursuant to Minute RE80.

RESOLVED that the recommendation contained in Minute RE80 of the meeting of the Resources Committee held on 20 March 2003 be approved and adopted.

C17

## **EXCLUSION OF THE PUBLIC**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of Exempt Information as defined in paragraph 9 of Part I of Schedule 12A to the Act.

### **(iii) Dunmow Office Letting**

Members considered the recommendation contained in Minute RE87 of the meeting of the Resources Committee held on 20 March 2003 and the report of the Council's Architect and Property Advisor on progress in letting the Council Offices at Dunmow. The report recommended that a lease be granted on the terms detailed within the report and that officers, if necessary in consultation with Group Leaders, be authorised to complete negotiations.

Officers answered questions about the business of the prospective tenant and the detailed terms of the lease.

Councillor Mrs Flack requested that the exterior of the Council Offices fronting the High Street be painted, particularly since they still carried the Uttlesford District Council name.

RESOLVED that

- 1 the recommendation in Minute RE87 of the meeting of the Resources Committee held on 20 March 2003 be approved and adopted.
- 2 the Dunmow Offices be let in accordance with the terms outlined in the Architect and Property Advisor's report, and
- 3 the officers, if necessary in consultation with Group Leaders, be authorised to complete negotiations.

The public were then readmitted to the meeting.

### **(iv) Scrutiny Committee 2 – 2 April 2003**

At the meeting of the Environment and Transport Committee on 11 March 2003, Members had noted officers' decision to suspend car boot sales on the Common Car Park (Minute ET79). On 2 April 2003, Scrutiny Committee 2 had recommended (Minute S2.50) that the car boot sales be reinstated as soon as practicable pending any necessary further examination.

The Chairman, Councillor A J Ketteridge declared a personal interest in this matter in as much as he was the organiser of a car boot sale.

In answer to question from Councillor Smith, the Head of Legal Services explained that the car park was designated as such and, unless the regulations designating it as a car park were overturned it remained a legal car park.

Most Members disagreed with the decision to suspend car boot sales at the Common Car Park and it was felt that charities would suffer if this situation remained.

The Chief Executive advised Members that if they wished to reverse the decision it would first be necessary to suspend Council Procedure Rules.

C18

### **SUSPENSION OF STANDING ORDERS**

RESOLVED that pursuant to Council Procedure Rule 19, Council Procedure Rule 12.1 be suspended for the duration of the item being discussed.

In answer to a question from Councillor Mrs Cheetham, the Director of Community Services confirmed that the possibility of using the Common for conventional boot sales was being discussed with the Town Council but that no formal response had been received yet. Members were concerned about the interests of charities and of the elderly who enjoyed the car boot sales. They were sympathetic to the recommendation of Scrutiny Committee 2 but agreed that the words "if necessary" be deleted from the recommendation.

RESOLVED that the recommendation contained in minute S2.50 of the meeting of Scrutiny Committee No. 2 held on 2 April 2003 be approved and adopted subject to the deletion of the words "if necessary" at the end of the recommendation.

C19

### **FIFTH GENERAL REVIEW OF PARLIAMENTARY CONSTITUENCY BOUNDARIES**

The Council considered a report suggesting a method to enable the Council to submit views on the recommendations for Essex following this review. It was expected that the recommendations would be announced early in May and that the period for representations would be only one month. It seemed likely that the review might precipitate substantial adjustments to constituency boundaries and it was important that the Council's interests and those of its residents were safeguarded.

RESOLVED that officers be authorised, in consultation with Group Leaders or their nominees, to prepare a report for the Annual Meeting of the Council on the course of action to be taken following publication of the Boundary Commission for England's Provisional Recommendations for Essex.

**C20 APPOINTMENT OF MONITORING OFFICER**

The Head of Legal Services withdrew from the meeting for this item.

Pursuant to Minute RE63 of the meeting of the Resources Committee held on 23 January 2003, the Chief Executive reminded the meeting of the resolution that the appointment of the Head of Legal Services as the Council's Monitoring Officer be recommended to the Council to take effect from 1 May 2003 with the post holder receiving an additional increment. She added that this proposal was to come into operation on the retirement of Tony Farrow who was the current Monitoring Officer.

RESOLVED that the appointment of the Head of Legal Services as the Council's Monitoring Officer take effect from 1 May 2003 with the post holder receiving an additional increment.

**C21 MEMBER/OFFICER PROTOCOL**

The Council received a report of the Chief Executive recommending the adoption of a revised protocol for Member/Officer relations.

The Chief Executive informed Members that extensive discussion had taken place on this document and that an attempt had been made to incorporate all Members' observations.

RESOLVED that the Council adopts the revised Member/Officer protocol.

**C22 REPORT OF CONSTITUTION TASK GROUP**

The Council considered the report of the Constitution Task Group following reference of three issues to it by the Council at its meeting on 23 April 2002, namely:-

- (a) how the acquisition and disposal of assets should be written into the Delegation Scheme.
- (b) the consideration of job descriptions of group leaders and spokespersons for political groups, and
- (c) the consideration of whether the Council procedure rule (CPR 12.1), which deals principally with the rescission of previous decisions, should be made more flexible and/or amended in the light of the introduction of the scrutiny procedures.

The Constitution Task Group had considered these and other items and its recommendations were set out at the end of the report.

Referring to Recommendation 7, Councillor R B Tyler felt that it would be right to defer a decision on whether a separate Licensing Committee should be appointed. The Chairmen of the Development Control and Licensing Committee and the Constitution Task Group should attend a workshop on the implications of

the licensing legislation changes to be held towards the end of May. The Constitution Task Group should then be asked to reconsider the matter.

The Head of Legal Services explained that although the transitional period for the new arrangements was to apply from August 2003, it would be one in which a vast volume of changes had to be assimilated in time for complete implementation at the commencement of the licensing changes, probably in August 2004. The matter of whether or not the decision on a separate licensing committee should be deferred was put to the vote and the motion to defer was carried.

Members considered the possibility of adjusting the policy committee structure and/or workload, but it was generally felt that the existing committee structure should be retained for the present and the new Council invited to review the allocation of functions to policy committees at the appropriate time.

The report suggested the amendment of council procedure rules to prevent Members of scrutiny committees from speaking at meetings of the corresponding policy committee and vice versa, unless requested to attend in accordance with overview and scrutiny rules. Members debated this at some length and there was general agreement that such a move would reduce discussion to the detriment of the democratic process and should not be pursued.

The Assistant Chief Executive reported that the Local Service Agreement Working Group had been omitted from the list of Working Parties recommended for reappointment. He asked that, in the interests of clarity, the words “and the Local Joint Committee, the Stansted Airport Advisory Panel and the Local Service Agreement Working Party” be reappointed’ be added to recommendation 9.

RESOLVED that

- 1 recommendations 1, 2, 3, 5, 6, 8, 9 as amended, 10, 12 and 13 of the report and paragraph 37 be approved and adopted.
- 2 the new Council be invited to consider the workloads of the policy committees after the Annual Meeting,
- 3 the Constitution Task Group be requested to review the situation on licensing in the light of the further research to take place in late May.
- 4 recommendation 11 be not adopted.

The Chairman agreed to allow the following item to be considered on the grounds of urgency in view of the need to start as soon as possible the process of appointing a successor to the Chief Executive.

C23

### **APPOINTMENT OF SUCCESSOR TO CHIEF EXECUTIVE**

In the light of the information that the Chief Executive would be moving shortly to a post in central government, the Leader had consulted Group Leaders concerning the appointment of a successor.

RESOLVED that



- 1 the Chief Executive and the Head of Personnel and Office Services, jointly with the Group Leaders, be authorised to appoint a recruitment consultant to assist the Council in appointing a successor to the Chief Executive.
- 2 The Director of Community Services be appointed Acting Chief Executive and Head of the Paid Service with effect from 1 July 2003 until the new post holder takes up his/her position.
- 3 Officers prepare a report on the full process, including the appointment of a Member Interview Panel, for the Council's Annual Meeting on 20 May 2003.

C24

### **LEADER'S THANKS**

The Leader of the Council stated that, on the occasion of the last meeting of the civic year, he wished to thank all Members for allowing him the pleasure of acting as Leader during the previous four years. He was confident that Uttlesford was a good Council and he thanked Members for the honour of being its Leader and thanked all officers at every level for the support given to Members.

The Chairman of the Council endorsed the comments of the Leader and the Chief Executive extended officers' thanks to Members and wished them all well.

The meeting ended at 9.30 pm.