

**COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 16 DECEMBER 2003**

Present:- Councillor M A Hibbs – Chairman.  
 Councillors E C Abrahams, R Artus, H D Baker, C A Bayley, P Boland, W F Bowker, C A Cant, R P Chambers, J F Cheetham, D Corke, R J Copping, A Dean, C M Dean, C D Down, S Flack, M A Gayler, E J Godwin, D W Gregory, R T Harris, E W Hicks, B M Hughes, S C Jones, A J Ketteridge, V J T Lelliott, R M Lemon, J I Loughlin, A Marchant, J E Menell, J P Murphy, V Pedder, A R Row, M J Savage, G Sell, F E Silver, E Tealby-Watson, A R Thawley, A M Wattebot and P A Wilcock.

Officers In Attendance:- J B Dickson, B D Perkins, I Orton, M Perry, M T Purkiss and J Rice.

C53

**REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS ALLOWANCES**

Mr Martyn Fiddler, the Chairman of the Panel, attended the meeting and presented the Panel's report. He outlined the work undertaken by the Panel and said that particular attention had been given to the question of committee workloads; an increase in the Basic, Special Responsibility and Carers Allowances; Travel and Subsistence Allowances and pensions for Councillors. He said that pensions were a complex issue and the Panel wished to seek Members' view in a questionnaire which would be issued in the summer of 2004.

He said that consideration of the level of travel and subsistence allowances payable to Members had been brought within the remit of Independent Remuneration Panels. He said that the Panel considered that the general travelling and subsistence rates payable to the Council's officers should apply also to the elected Members. He would also be recommending that there should not be any restrictions on these allowances to Members on approved Council business and this should be applicable from 1 January 2004.

At this stage, the Chairman thanked Mr Fiddler and the Panel for their report and the Leader concurred with this and suggested that the Remuneration Panel should look at the following part of the Notice of Motion proposed by Councillor S Flack:-

That the maximum car mileage rate for Members is capped at 40 pence a mile and thereafter at a rate no greater than the Inland Revenue approved rate. Members would no longer be entitled to the restricted rate, but claims for travel by public transport (second class) would continue to be paid in full.

Councillor Flack said that she would be happy for the Panel to consider this part of the motion but emphasised that a decision would be needed before the end of February to enable Members to complete tax returns for a whole year.

## RESOLVED that

- 1 The Basic And Special Responsibility Allowances for 2004/2005 be increased by 2.4% with effect from May 2004.
- 2 No adjustments to the Carers Allowance be made but this be kept under review.
- 3 No Special Responsibility Allowance be paid for the Staff Appeals Committee.
- 4 The Panel investigate further the applicability of Basic and Special Responsibility Allowances to be treated as pensionable as part of the 2004 review.
- 5 The Panel be asked to consider the issue of Members' travelling rates and report back to the Council meeting on 10 February 2004.

- 6 The Members allowances for 2004/2005 be as follows:-

Basic Allowance	£4,491 (notionally 65 days p.a.)
Chairman of the Council	£4,491 + £3,368 + £2,500 (civic expenses)
Vice Chairman of the Council	£4,491 + £2,245
Leader of the Council	£4,491 + £6,736
Deputy Leader of the Council	£4,491 + £2,245
Chairmen of committees	£4,491 + £3,368
Chairman of Standards Committee	£3,368
Group Leaders	£4,491 + £102 x group membership as at 1 April (subject to a minimum group size of 2 members)
Members of the Development Control Committee	£4,491 + £449
Carers Allowance	£10.00 (maximum hourly rate)

\*Travelling and subsistence allowances to be paid to Members on approved Council business without restrictions applicable from 1 January 2004;

\*\*Only one SRA to be paid to any one Member

**C54 APOLOGIES**

Apologies for absence were received from Councillors K J Clarke, M L Foley, R F Freeman, D J Morson and S V Schneider.

**C55 DECLARATIONS OF INTEREST**

The following Councillors declared interests as Members of SSE: Councillors

C A Bayley, P Boland W F Bowker, C A Cant, J F Cheetham, D Corke, A Dean, C M Dean, C D Down, S Flack, M A Gayler, E J Godwin, B M Hughes, R M Lemon, J I Loughlin, A Marchant, J E Menell, J P Murphy, V Pedder, A R Row, E Tealby-Watson, A R Thawley and A M Wattebot.

Councillors Lelliott and Sell declared interests as Directors of Uttlesford CAB. Councillor Hibbs declared an interest as a Member of Saffron Walden Town Council and Councillors Murphy and Copping declared interests as Members of Great Dunmow Town Council.

**C56 MINUTES**

The Minutes of the meeting held on 14 October 2003 were received, confirmed and signed by the Chairman as a correct record subject to the addition of the words "by an amendment" after the words "withdrawn from the motion" in the fourth paragraph of Minute C52 (ii).

**C57 BUSINESS ARISING****(i) Minute C49 (i) Decriminalisation of Parking Enforcement**

In response to a question from Councillor Flack the Acting Chief Executive said that he understood that the Government had accepted the submission made by Essex County Council.

**C58 CHAIRMAN'S COMMUNICATIONS**

The Chairman reported that the civic carol service would be held at St Mary's Church Saffron Walden on 17 December 2003 in conjunction with The Uttlesford Primary Care Trust. He said that any monies raised would go to the Saffron Walden Hospital and Saffron Walden Outreach Project.

**C59 LEADER'S COMMUNICATIONS**

With the agreement of the Chairman, item 12 on the Agenda – Initial Response to the Government's Aviation White Paper, was considered at this stage of the meeting.

The Leader said that Alistair Darling's announcement earlier in the day had been little more than a Government wish list and it would be down to individual airport operators to bring forward plans. He said that finance was an obstacle and the airport operator had said that it would need even more subsidies from Heathrow to pay for one more runway at Stansted. The CAA had stated that BAA must be able to provide the necessary funding within the regulatory framework set by the CAA. This framework required BAA to operate all its airports as separate airports. However, BAA had said that it would need to fund an extra runway at Stansted from income at Heathrow.

The Leader said that the Council needed more time to consider the detail in the White Paper. He said that he and the Acting Chief Executive would be meeting informally on 18 December with senior management at BAA to try to find out what their next steps were likely to be. He said that the announcement had been a disappointment and the Government had not listened to Uttlesford. He then proposed that an Extraordinary Meeting of the Council be convened before the end of January to address this major challenge to the future of this District.

Councillor Godwin said that the gloves were now off and the Council knew exactly what it faced. She said that Members needed to read the White Paper over Christmas and be properly informed by the date of the Extraordinary Council Meeting. She said that Uttlesford had been seen as an easy touch and that the Government always intended to go for soft options. However, these were not always the right ones and she said that the runway was not a viable proposition and would never be built. She concluded that the Council would continue to do what was right for the District.

Councillor Cheetham reiterated that it was clear that the Government had not listened to the Council. BAA had admitted that the new runway would have to be paid for by cross subsidy. She said that at the previous public inquiries in 1964 and 1985 both Inspectors had said that a second runway at Stansted would be a disaster. She concluded that she felt betrayed by the Government and Members needed to study the White Paper in detail and come back in the New Year.

The Acting Chief Executive suggested that an Extraordinary Council Meeting could be held at 7.30 p.m. on 26 January with the Airport Working Party meeting as a workshop on 12 January and all Members would be invited to that.

RESOLVED that an Extraordinary Council Meeting be held on 26 January 2004 at 7.30 p.m. to discuss the Government's Aviation White Paper.

C60

## **MATTERS ARISING FROM COMMITTEES**

### **(i) Extraordinary Health and Housing Committee – 4 December 2003 Housing Strategy Statement and Housing Business Plan (HH38)**

Councillor Bayley introduced this matter and thanked officers for the excellent documents which addressed the many housing issues in Uttlesford.

RESOLVED that the draft Housing Strategy Statement and Housing Revenue Business Plan be adopted and submitted to the Government Office for the Eastern Region.

**(ii) Resources Committee 20 November 2003  
General Fund Policy Priorities and Budgets 2004/05 (RE48)**

Councillor Gayler introduced this item which brought together developments from the last cycle of committees in preparing the Council's General Fund Budget for 2004/05. He circulated a further paper which incorporated slightly different targets to those recommended at the Resources Committee.

RESOLVED that

- 1 Committees be instructed to amend their budgets to meet the revised committee totals as below:

	2004/5 Budget as at 20 November	Budget Review Items Agreed	Additional Target	Revised Committee Total
Resources	£4,459,870	(£51,550)	(£50,000)	£4,358,320
Environment & Transport	£1,842,410	(£166,000)	£0	£1,676,410
Dev't Control & Licensing	£374,600	£0	£0	£374,600
Community & Leisure	£1,292,750	£85,800	(£10,000)	£1,368,550
Health & Housing	£766,100	(£3,000)	(£5,000)	£758,100

- 2 Best Value reviews should be funded from within the services to which they relate.
- 3 A maximum indicative Council Tax of 7.5% be confirmed for 2004/05
- 4 Officers to advise on best practice for the construction and ownership of budgets and fees for semi-judicial committees.
- 5 That grants to CAB and other relevant groups be thoroughly reviewed by Community and Leisure Committee during 2004 with the intention of starting new 3 year agreements from 2005/6.
- 6 That budget consultations be carried out through the organising of appropriate meetings to encompass as wide as possible a consultation as is achievable within the time available.

**(iii) Resources Committee 20 November 2003  
Council Tax – Charges for Second Homes and Long Term Empty Homes (RE60)**

Councillor Gayler introduced this item and circulated a revised recommendation which incorporated the proposal by Essex County Council that 60% of the income received could be used to fund projects that benefit local communities in Uttlesford. He said that representations had been made to the Government concerning unfurnished long term empty homes and he considered that there should be incentives to encourage owners to put such properties up for rent.

Councillor Flack said that the Council's only chance was to not do anything until the Government had agreed to the Council receiving the money. Councillor Cheetham asked for further details of the criteria for identifying long term empty homes and the extent of the problem in Uttlesford. The Director of Resources agreed to provide further details to Members. Councillor Lemon asked whether the figures included the four empty Council bungalows at Hatfield Heath. Councillor Bayley agreed to advise Councillor Lemon on this point.

RESOLVED that

- 1 Subject to the proposal by Essex County Council that 60% of the income received by the County Council through reducing the Council Tax discount for second homes to the minimum 10% be used to fund projects that benefit local communities in Uttlesford then the existing discount for second homes be reduced from 50% to the minimum 10%.
- 2 Subject to (1) above the Director of Resources, in consultation with the Chairman of Resources Committee, inform Essex County Council of the Council's agreement in principle to the use of income from Council Tax on second homes and discuss with the County Council suitable projects and report back to the Resources Committee for confirmation.
- 3 The existing discount for unfurnished long term empty homes be removed;
- 4 No locally defined discounts be approved at this time;
- 5 A letter to be sent to the Minister for Local Government requesting that the additional income received under (2) above should be allowed to be kept locally.

C61

## **QUALITY OF LIFE CORPORATE PLAN**

Members considered the draft Quality of Life Corporate Plan and were advised of the consultation which had taken place and the changes which had been made following feedback.

The Leader said that the Council's vision for Uttlesford referred to inclusive, healthy, safe, prosperous, environment, heritage and opportunities. He said that a vision was achieved when it was turned into objectives and actions. He added that the Corporate Plan sets out where over the next four years we can take the Council and the District. He said that it was not a "wish list" but a "to do" list. He said that the Council had already become a "can do" Council which was small, good and ambitious. He said that the Quality of Life Corporate Plan was a statement of intent. It was a declaration of ambition and it had been costed in terms of cash and people resources. He thanked the Interim Director, John Rice, for his tremendous energy in developing the document to this stage. He said that the document had been widely

scrutinised and would be reviewed in six months time. He expected that there would be some changes and emphasised that it had to be a living document.

He said that some things would happen earlier than planned and a few might even be put back. He proposed that the Council aimed to achieve the voluntary sector hub in 2004 rather than in 2006. He concluded that Members involvement was now needed to make it come to life. Each of the actions needed to be owned by a Member and an officer and he would be seeking volunteers in the New Year.

Councillor Chambers said that he welcomed the document as a consultation paper but if real consultation was to take place all partners needed more time to consider the details and assess their ownership of the document. He said that the matter was being bulldozed through regardless of the wishes of the local residents. He suggested that a referendum should be held on the plan. He said that the plan could cost tens of thousands of pounds and could lead to cuts in services.

Councillor Ketteridge said that the document contained many things with which most people could agree. However, he could not support it due to its content which included such proposals as stopping the free collection of bulk refuse items. He said that the plan could cost at least £200,000 in revenue alone and there was no explanation of where this would come from. He said that the full document had not been sent to partners for consultation and Councillors Cheetham and Flack said that it had not been seen by their respective Parish Councils.

Councillor Ketteridge then moved the following amendment which was duly seconded:-

That the Quality of Life Corporate Plan document be sent to all Town and Parish Councils and other stakeholders identified therein for consultation in view of the many items contained therein which required their commitment and cooperation.

Councillor Gayler said that the document was a statement of intent and a living document. He said that it was important to approve it so that it could be discussed with Town and Parish Councils and other stakeholders. He said that the budget for 2004/05 had taken into account the proposals contained in the plan. The Leader agreed and said that nothing was being imposed on the Council's partners and reiterated that it was a statement of intent and direction which enabled further consultation.

Councillor Flack said that the plan did not address important challenges such as the Dunmow Council Offices or Golds Nurseries. She said that the Auditors had identified that the Council did not have spare capacity yet the document was suggesting that many aims could be achieved by "redirecting resources". Councillor Row added that it was bad news for people on fixed incomes and he asked how the Leader would explain to pensioners how a cinema in the Council Chamber, a Council newspaper or welcome to Uttlesford signs would be good news for them.

The amendment was then put to the vote and was lost with 9 votes for and 25 against.

The substantive motion was then put to the vote and was carried with 25 votes for and 9 against.

RESOLVED that

- 1 The Quality of Life Corporate Plan be approved with the amendment of achieving the voluntary sector hub in 2004 rather than 2006.
- 2 The Quality of Life Corporate Plan be formally reviewed during June of each year.

C62

### **COMPREHENSIVE PERFORMANCE ASSESSMENT (CPA) – SUBMISSION OF DOCUMENTS**

The Acting Chief Executive reported that as part of the CPA process, the Council had to submit various documents to the Audit Commission in the week of 5 January 2004 ready for the CPA site visit during the week of 23 February 2004.

Members considered the draft Corporate Self Assessment Version 7 and the draft Improvement Plan and noted that work on the two diagnostic reviews was still continuing. All CPA documentation would be completed by the end of December 2003 and needed to be signed off by the Leader of the Council and the Chief Executive in the week commencing 5 January 2004.

In response to a question from Councillor Flack, the Acting Chief Executive confirmed that information in the documents was being updated and the Quality of Life Plan agreed in June 2003 would now be superseded by the Quality of Life Corporate Plan agreed earlier in the meeting. Councillor Harris said that he had enjoyed working on the CPA Task Group and said that it was a diverse group and well able to deal with the signing off of the CPA documentation. He concluded that he was in no doubt that the Council was improving and it should go forward as a good Council.

It was then unanimously

RESOLVED that

- 1 final approval of the CPA documentation be delegated to the Member led CPA Task Group.
- 2 Uttlesford District Council assesses itself as a “Good Council”.

C63

### **CONSTITUTION TASK GROUP**

Councillor C M Dean presented the Minutes of the Constitution Task Group held on 25 November 2003.



**(i) Council Meetings**

Councillor Copping thanked the Task Group for giving speedy consideration to the Notice of Motion which had been approved at the last Council meeting.

RESOLVED that

- 1 For a trial period covering three meetings of the Council, a question time for Members be introduced at Council meetings following the public question time. The period to be of up to 15 minutes duration to enable Members to ask questions of Chairs of all main committees, the Chair would then reply and the questioner would have the right to come back, but there would be no debate. Questions would not be allowed on individual planning or licensing applications.
- 2 The matter be reviewed following three Council meetings.

**(ii) Representation on Committees**

RESOLVED that the opportunity to participate, but not to vote, at any Council Committee Meeting be extended to stakeholder organisations in the District on an ad-hoc basis at the discretion of the Chairman.

**(iii) Public Question Time**

RESOLVED that the 15 minute public question time be extended to meetings of the Licensing Committee.

C64

**COUNCIL TAX BASE CALCULATION 2004/05**

It was reported that Section 84 of the Local Government Finance Act 2003 had amended the requirement for the Council Tax Base to be adopted by a full Council Meeting. It was now up to each individual Council to decide how the Council Tax Base was adopted.

RESOLVED that the Council's Section 151 Officer duties be amended to include the annual adoption of the Council Tax Base in consultation with the Chairman of Resources Committee.

C65

**NOTICES OF MOTION****(i) Playing Fields**

Members considered the following Notice of Motion which had been proposed by Councillor R J Copping and duly seconded:-

"This Council sends its warmest congratulations to the Members and Staff of Great Dunmow Town Council upon winning the Essex Playing Fields Association Award for the best kept playing field in Essex for 2003."

RESOLVED that the Motion be approved.

**(ii) Green Travel**

Members considered the following Notice of Motion proposed by Councillor S Flack and duly seconded:-

- “1 That the maximum car mileage rate for Members is capped at 40 pence a mile and thereafter at a rate no greater than the Inland Revenue approved rate. Members would no longer be entitled to the restricted rate but claims for travel by public transport (second class) would continue to be paid in full. This change to be introduced on 1 January 2004.
- 2 That the Chairman of Resources investigates the introduction of a similar scheme for officers who currently receive the restricted rate.
- 3 That the Chairman of Resources investigates the introduction of on-line submission of Expense and Subsistence forms as being introduced by other Councils”.

Members recalled that the first part of the Notice of Motion had been dealt with earlier in the meeting when the report of the Independent Remuneration Panel had been considered.

Councillor Bowker suggested that car allowances for officers should be looked at by the Local Joint Council and the Travel Plan Group. The Chairman of the Resources Committee agreed to investigate this matter and the introduction of online submission of expense and subsistence forms.

RESOLVED that the Motion be approved and referred to the Resources Committee subject to the Local Joint Council and Travel Plan Group being invited to consider the issues relating to officer car allowances .

**(iii) Top Up Fees**

Members considered the following Motion which had been proposed by Councillor P A Wilcock and seconded by Councillor J P Murphy:-

“This Council deplores moves by Her Majesty’s Government to extend its plans for tuition fees and top up fees that would mean that many of the brightest local students would no longer be able to afford a university education.

It calls on the Government to abandon this policy, which amounts to a “poll tax” on learning which will burden future generations with up to £33,000 of debt, which many students will still be paying back when they retire. This makes a mockery of the Government’s claim to be widening opportunities.

This Council calls upon the Leader to write to our local MP and the Secretary of State calling on them to oppose the Government’s proposals at every opportunity and to support the belief that to invest in our country’s future we must invest in our young people.

This motion supports the principle of maintaining the Quality of Life for the young people who will be discouraged from higher education if the proposals for higher fees are passed.”

Councillor Wilcock introduced the Notice of Motion and said that it was vitally important to support young people and students. Councillor Tealby-Watson said that the Council had a role to provide high level community leadership and to speak up on behalf of young people. She said that university education was vital for the economic well being of the Country. Councillor Sell considered that the suggested top up fees would widen the divide between universities. Councillor Cant said that if some universities did not receive adequate funding they could face bankruptcy. She asked that the Notice of Motion be amended by an additional paragraph encouraging the Government to adequately fund universities. This was accepted by the mover and seconder of the Motion. Councillor Murphy concluded the debate by saying that it was important to invest in a new generation of educated young people.

RESOLVED that the Notice of Motion be approved subject to the addition of the words “that the Government be encouraged to adequately fund universities.

C66

### **URGENT BUSINESS – STANDARDS COMMITTEE**

The Chairman agreed to the consideration of this matter as a matter of urgency as a decision was required before the next meeting of the Council.

The Head of Legal Services explained that the Standards Committee required two representatives from Town or Parish Councils. One of the previous representatives had not stood for re-election leaving one vacancy. The Uttlesford Association of Local Councils had now nominated R A Merrion from Hatfield Broad Oak and the Council was asked to approve this nomination as a matter of urgency as the Standards Committee might be called upon to deal with complaints of misconduct by Parish Councillors. The law required a Parish representative to be present when such matters were being considered.

RESOLVED that R A Merrion be appointed to serve on the Standards Committee.

C67

### **CHRISTMAS GREETINGS**

The Acting Chief Executive said that this would be the last Council meeting he would attend in that role and wished Members a happy Christmas and a healthy, prosperous and challenging New Year. The Chairman placed on record the Council’s thanks for the excellent work which the Acting Chief Executive had undertaken.

The meeting was adjourned at 9.35 p.m. and reconvened at 9.40 p.m. M J Perry, M T Purkiss and J Rice were in attendance for the following items.

**C68 EXCLUSION OF THE PUBLIC**

RESOLVED that the press and public be excluded for the consideration of the next item on the agenda on the basis that it involved the consideration of exempt information under paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972.

**C69 PROPOSED NEW MANAGEMENT STRUCTURE**

The Interim Strategic Director introduced a report proposing that the Council agrees in principle to restructure the senior management structure and to widely consult the managers and staff about the proposal and related issues. He said that the proposals had been agreed with the Chief Executive Designate and the Acting Chief Executive and had the support in principle of all senior managers. He said that the Chief Executive Designate intended to convene a series of workshops to obtain Members' views on the proposals.

The Leader said that this was a most important issue and it was incumbent on Members to consider the matter seriously and make a clear decision. He thanked the Interim Strategic Director and other Officers involved in the preparation of this report and commended the proposals to Members.

Councillor Godwin said that the report needed to be properly thought through and there should be adequate time for proper consultation. She said that she had met with the Chief Executive Designate and it was clear that he was taking ownership of the matter.

Councillor Ketteridge said that he still believed that the proposal was premature until the Chief Executive Designate was in post and had sufficient time to assess the strengths and weaknesses of senior staff. He was also concerned at the financial consequences of the proposals and suggested that some of these had been underestimated.

Councillor Jones referred to the proposals for executive managers and considered that non financial officers should not be moving into a financial environment.

In response to questions from Councillors Artus and Silver the Interim Strategic Director said that the proposals would not cost more than the current structure and should deliver savings. Councillor Chambers also expressed concern at the financial implications and Section 151 issues. Councillor Flack said that it needed to be shown how the proposals would boost capacity.

RESOLVED that the proposed new management structure be approved in principle as a basis for further consultation with managers and staff and a further report be made to the Council meeting on 10 February 2004.