

COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 20 APRIL 2004

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

Officers in attendance: A Bovaird, J B Dickson, C Hughes, I Orton, B D Perkins, M J Perry and M T Purkiss.

C96 APOLOGIES

Apologies for absence were received from Councillors E C Abrahams, D Corke, R F Freeman, B M Hughes, S V Schneider, A R Thawley and A M Wattebot.

C97 DECLARATIONS OF INTEREST

Councillor Menell declared an interest as a non-executive director of Uttlesford Primary Care Trust and Councillor R P Chambers declared an interest as Chairman of the Essex Police Authority.

Councillors K R Artus, H D Baker, C A Bayley, W F Bowker, C A Cant, R J Copping, C M Dean, S Flack, M A Gayler, E J Godwin, D W Gregory, M A Hibbs, S C Jones, A J Ketteridge, R M Lemon, J I Loughlin, A Marchant, J E Menell, J P Murphy, V Pedder, M J Savage, G Sell and F E Silver declared interests in relation to the item concerning Town and Parish Charters as they were town or parish councillors. Councillor Hibbs said that his declaration related to planning matters contained in the proposed Charter.

C98 MEMBERS QUESTION AND ANSWER SESSION

Councillor Flack said that at the meeting of the Scrutiny 2 Committee concern had been expressed at the time taken for planning officers to respond and she asked Councillor Copping to clarify the average time taken for dealing with non controversial planning applications. She also said that the proposed Parish and Town Charter contained a suggestion that town and parish councils be allowed 21 days for the submission of representations and asked what impact this would have on performance. Councillor Copping said that the time taken in dealing with planning applications was improving but he had no foreknowledge of the proposed Parish and Town Charter and therefore could not predict the likely impact of the suggestion referred to.

Councillor Ketteridge said that the public conveniences in Saffron Walden were in an appalling condition and asked when this matter would be addressed. Officers confirmed that the refurbishment of the public conveniences was included in the Capital Programme for 2004/05.

Councillor Row said that the Council had supported Uttlesford Crossroads for many years and a grant of £8,000 had been made in the recent past. However, last year Uttlesford Crossroads and Homestart had been withdrawn from the list of organisations receiving grants and they had been asked to approach the Uttlesford Partnership Fund. The Fund had given Uttlesford Crossroads a grant of £3,000 for the next two years which placed it in the same position it had been in 20 years ago. He said that core funding was vital and he hoped the Council would recognise the need for these grants and reconsider the situation as a matter of urgency. Councillor Morson said that funding was currently under review and these matters would be looked at.

Councillors Flack, Ketteridge and Tealby-Watson declared interests in the above matter and left the meeting during the discussion thereon.

Councillor C Dean referred to a number of events which had been held recently where Members had not received details until late in the day. She asked that dates of future events be circulated to Members in good time so that they were able to attend. Councillor Morson said that there were a number of events planned for the coming year and details would be circulated to all Members.

Councillor Cheetham said that the Leader had given details to Members of the draft CPA scoring and asked if this was now in the public domain. The Chief Executive clarified that it was not a public document but the Audit Commission had asked that it be circulated widely within the organisation.

Councillor Murphy asked what progress had been made regarding decriminalisation. Councillor Hibbs said that the Decriminalisation Task Group would be meeting on 12 May. The agreement between this Council and Essex County Council had clarified that the County Council would underwrite any additional costs incurred by this Council. However, clarification was still being sought on the length of time that this would apply.

Councillor Menell said that on 8 April she had received a paper on the Quality of Life Plan with the names of Officers and Members responsible for each action. She questioned as to how these actions had been allocated as the Council did not have an executive and said that she and other Members would feel disenfranchised if they were not part of the process. The Leader apologised that the wrong document had been sent to Members and said that the correct document would be sent by the end of the week. He said that at the last Council meeting he had stated that members of the Liberal Democrat Group had come forward to be responsible for some of the actions contained in the plan and he hoped that the other groups would come forward with names. He also said that any new projects would need to receive the approval of Committee in the normal way.

Councillor Chambers referred to the excellent work of the Citizens Advice Bureau, particularly in relation to debt counselling. He asked if the Council

was looking at giving more funding to this organisation in view of its serious financial position. Councillor Morson said that he had attended a meeting earlier in the day to review the funding of the Citizens Advice Bureau and an assessment would be made in the near future.

Councillors Lelliott and Sell declared their interests in the above matter and left the meeting during the discussion thereon.

C99 **MINUTES**

The Minutes of the meeting held on 10 February 2004 were approved as a correct record and signed by the Chairman.

C100 **BUSINESS ARISING**

(i) Minute C77 – Members Question and Answer Session

Councillor Wilcock referred to the effective use of Scrutiny and said he hoped that the presentation by RADA had raised awareness and would improve the quality of Scrutiny.

(ii) Minute C83(ii) – Quality of Life Corporate Plan

Councillor Ketteridge said that many issues within the Quality of Life Plan would incur additional expenditure and he asked whether these would be coming back to Committee for approval. The Leader said that if expenditure or other aspects of the proposals had not already been approved this would be the case. Councillor Cheetham also expressed concern about the process for progressing schemes within the Plan and the Leader gave an undertaking that he and the Chief Executive would meet with representatives of the Conservative and Independent Groups to discuss this matter further.

(iii) Minute C83(i) – Independent Remuneration Panel

In response to a question from Councillor Tealby-Watson the Director of Resources said that the Remuneration Panel had taken the point raised by her into account and the situation whereby Members could claim carer's allowance was now much clearer.

(iv) C83(iii) – Future Development of Air Transport and Stansted Airport

Councillor Wilcock said that it was disappointing that the Secretary of State had relaunched the Stansted Express from Liverpool Street station but could not find the time to come to Stansted. He said that it was vital that pressure was maintained on the Government.

(v) Minute C88 – Council Tax 2004/05

Councillor Flack asked whether there had been any complaints from the public about the recent increase in Council Tax. The Director of Resources

said that whilst there had been a few there had not been as many as in the previous year.

C101 **CHAIRMAN'S COMMUNICATIONS**

The Chairman said that on 3 April there had been a successful day where a number of Mayors and Chairmen had made a visit to Bridge End Gardens and Saffron Walden Museum.

He reminded Members that his Reception would be held on 22 April and asked that Members notify his assistant if they were attending.

C102 **LEADER'S COMMUNICATIONS**

The Leader referred to the provisional report from the Audit Commission on the Council's CPA. He said that this would be considered at the next meeting of the CPA Task Group and all Members would be kept informed.

C103 **MATTERS ARISING FROM COMMITTEES**

Standards Committee – 22 March 2004 – Minute S24

It was reported that the Standards Committee had recently considered a report on the conduct of investigations and arising from this the Committee considered that when confidential papers were circulated to Committee Members they should be returned for destruction when the matter had been completed. The Committee felt that as a general principle, it would be good practice for Councillors to return all confidential Committee reports to Officers for destruction and had recommended this course of action to the Council.

However, Councillors were of the general opinion that it was often necessary to keep papers for a period of time for reference and many Members had facilities to shred confidential papers at home.

RESOLVED that Councillors be asked to ensure that after the appropriate meeting confidential papers are either shredded at home or brought to the Council Offices for shredding.

C104 **ORGANISATIONAL RESTRUCTURE**

The Chief Executive submitted a detailed report on current progress with the organisational restructure. He reminded Members of the decisions which had been taken on 16 December 2003 and 10 February 2004 when it had been agreed that the new structure with 11 Executive Managers should be reduced by natural wastage over time to 8 in total, but at a time and when deemed appropriate by the Chief Executive in consultation with Members. He said that due to a change in circumstances he was recommending a significant change to the structure as previously agreed. He explained that one of the 10 prospective Executive Managers had decided not to accept the role offered

and this left the portfolio which had been offered, that of Community and Culture, without an Executive Manager. The report therefore recommended that the functions of the intended Community and Culture Service should be redistributed, with some consequential further balancing of workloads among the other Executive Managers, to enable the new Executive Management Team to establish new managerial and service arrangements as quickly as possible.

The report set out in detail the revised location of the main blocks of the Community and Culture Service and identified the benefits that the relocation would bring to service delivery. However, there were a number of areas which would require further consideration before the final location could be determined.

The report also updated Members on the costs of the restructuring exercise.

The Chief Executive said that the proposals sought to increase the Council's capacity for service improvement, improved customer focus and to meet the aims of the Quality of Life Plan. He said that it was important to move swiftly to avoid uncertainty and added that it was essential to get the restructuring done so that the Council could focus on the challenges facing it. He stated that staff needed to know where they fitted in and what they could contribute. He said that the exercise would not be the end and the Council would need to continue to change responsibly and swiftly.

The Leader then circulated and moved a revised recommendation which was seconded by Councillor Wilcock.

He said that the recommendations were crucial to continuing the forward momentum and were in line with previous decisions taken. He said that it was important that Members supported the Chief Executive and his team of Officers and if Members agreed the broad principles the Chief Executive should be allowed to manage the change and keep Members advised of progress. He said that any significant changes or items involving new resources would come back to Members. He added that good employee relations must be maintained and supported by the democratic process and there needed to be good relationships and trust between Members and Officers. He said that if the recommendations were agreed an ad hoc reference group should be set up to look at the external challenges facing the Council.

Councillor Silver expressed the deepest concern at the proposals. He said that full consultation was needed especially with the Community and Leisure Committee. He had spoken to other councils and none had split the community and leisure function in the way suggested in the report. He concluded that many staff were concerned at their new roles and this would have a negative effect. He then moved the following amendment which was duly seconded:

That this report be deferred for further consultation until a further report covering the points in Item 2 of the recommendation is presented to Council.

Councillor Row referred to the changes in the structure and said that this had been a knee jerk reaction and a regrettable step. He hoped that efforts would be made to find a suitable executive manager to deal with community and culture.

Councillor Flack suggested that the recommendation should include the following words:

“Once the arrangements are in place Members receive a detailed organisation chart and details of individuals, areas of responsibility and budgets.”

The mover and seconder agreed to the inclusion of this in the recommendation.

Councillor Cheetham also expressed concern at the splitting of the tourism service.

However, Councillor Lemon said that it was important that the Council now moved swiftly and he considered that the changes would lead to a more efficient Council and better service delivery. Councillor Gayler said that he was pleased that the Chief Executive had dealt with the concerns from a number of Members and he felt that the proposal would take the Council forward and ensure that services were effectively managed. Councillor Morson said that he had spoken to the Chief Executive about staffing in the Community and Leisure section and had been given an assurance that they would remain in their current physical environment. He had also spoken to the Chief Executive about tourism and had been given an assurance that this would be looked at further. Councillor Ketteridge added that he hoped that if the proposals were approved the Chief Executive would take on board all the concerns which had been raised by Members particularly in relation to Community and Leisure.

Councillor Sell said that he had contacted a number of other local authorities including those of a similar size to Uttlesford and none of these had split the community and leisure functions. He said that he would like a survey in 12 months time to seek the views of staff and Members on the success or otherwise of the change. The Chief Executive gave an assurance that the impact of the change would be monitored and Members and staff would be involved in the process.

Councillor Chambers said that he had real concerns about the restructuring but having heard the responses from the Chief Executive he urged Members to agree with the recommendations put forward. He felt that residents would suffer if the changes were delayed through Members bickering and he suggested that Members should monitor progress and approach the Chief Executive or Leader if they had any concerns. Councillor Cant concurred with these comments.

Councillor Copping said that he was not against change and previous changes such as the PFI project had worked well because the Council had acted carefully and looked at the detail. He said that in this instance Members had felt compelled to rush headlong into decisions which were not well considered. He also expressed concern that Members were again being

asked to agree something in principle and he said that this was unacceptable. However, Councillor Godwin said that there had been a year of uncertainty for staff and it was time to get things moving. She said that the Council would be facing a major planning application next year and the Council must be strong and fit to meet the challenge. Members then voted on the amendment proposed by Councillor Silver and, following a request for a recorded vote, the voting was as follows:

For	Against	Abstained
P Boland	K R Artus	J I Loughlin
R J Copping	H D Baker	J P Murphy
S Flack	C A Bayley	G Sell
J E Menell	W F Bowker	
A R Row	C A Cant	
F E Silver	R P Chambers	
	J F Cheetham	
	K J Clarke	
	A Dean	
	C M Dean	
	C D Down	
	M L Foley	
	M A Gayler	
	E J Godwin	
	D W Gregory	
	R T Harris	
	E W Hicks	
	S C Jones	
	A J Ketteridge	
	V J T Lelliott	
	R M Lemon	
	A Marchant	
	D J Morson	
	V Pedder	
	M J Savage	
	E Tealby-Watson	
	P A Wilcock	

The amendment was therefore lost with 6 votes for, 27 against and 3 abstentions.

Councillor Ketteridge said that there were still no figures to reflect job evaluation and he considered that the projected savings would very different from the final position. The Chief Executive confirmed that the figures did take account of the new salaries and other benefits offered to and accepted by the Executive Managers. Councillor Sell said that the way that the restructuring had been dealt with was not a text book approach and he hoped that change would be handled better in future.

The motion proposed by Councillor A Dean and seconded by Councillor Wilcock with the addition of the amendment proposed by Councillor Flack was then put to the vote and was carried with 31 votes for, 2 against and 3 abstentions. It was therefore

RESOLVED that

- 1 the proposed outline distribution of services under ten Executive Managers is agreed;
- 2 the Chief Executive be instructed to determine the detailed division of operational responsibilities between the Executive Managers' portfolios in consultation with appropriate staff and members subject to:
 - Appropriate consideration of the overall workloads associated with Executive Management portfolios;
 - The need to maintain at all times robust arrangements for secure service and Quality of Life Corporate Plan delivery;
 - Where there is conflict between target dates for change and secure service delivery, the latter should take precedence.
- 3 the Chief Executive continues to keep the overall service structure under review, make such adjustments as necessary (in consultation with Members and Officers) and to report periodically to Council on opportunities to improve service delivery and the arrangements for the management of services and the Quality of Life Corporate Plan.
- 4 once the arrangements are in place Members receive a detailed organisation chart and details of individuals, areas of responsibility and budgets.

C105

TOWN AND PARISH CHARTERS

The Performance Manager and Councillor Savage introduced a report on a proposed Charter for Town and Parish Councils. It was explained that the objectives of the Quality of Life Corporate Plan included "closer contacts with Town and Parish Councils, encouraging Town and Parish Councils, who so wish, to achieve the Quality Council Status and implementation of a Town and Parish Charter".

A draft copy of the Uttlesford District Council Charter for Parish and Town Councils was considered and Members were asked to adopt this. It was suggested that opportunities flowing from the Charter be reported back to Members on a regular basis. Councillor Savage said that the Charter was a starting point for better relationships with town and parish councils and could lead to improved working.

It was generally accepted that many of the smaller parish councils would not have the resources to deal with many of the issues contained in the Charter and it would be necessary to look at each town or parish council individually.

Councillor Flack said that she had some concerns at the involvement of town and parish councils in some of the planning issues contained in Appendix 1 of the Charter and suggested that this issue should be considered by the Development Control Committee.

RESOLVED that the Council

- 1 Agree the implementation of Parish and Town Charters throughout the District,
- 2 Agree that open meetings will be held four times a year to increase communications with Town and Parish Councils,
- 3 Progress with the implementation and working with Parish and Town Councils is regularly reviewed and reported to the appropriate committees of the Council.

C106

BEST VALUE GENERAL SATISFACTION SURVEY 2000 AND 2003

The Performance Manager introduced a report and PowerPoint presentation concerning the results of the Best Value General Satisfaction Surveys in 2000 and 2003. The information within the report compared service satisfaction in 2000 and 2003 and indicated how Uttlesford had performed against other district councils in Essex.

The Performance Manager reported that there were 24 areas where a direct comparison between satisfaction in 2000 and 2003 could be measured and of the 24 areas 17 were showing greater satisfaction. Whilst details for all authorities would not be released until 30 June 2004 it was noted that of the 24 areas that had been measured;

- Uttlesford had the best results in 11 of the 24 areas including at 64% most satisfied with overall service and perceived improvement during the last three years. In fact, Uttlesford was the only Council in Essex to register an improvement.
- Uttlesford came second in areas such as satisfaction with planning and information to residents on benefits.
- Uttlesford had the greatest dissatisfaction with public transport.

RESOLVED that

- 1 the findings from the 2003 Best Value General Satisfaction Survey be noted and copies of the PowerPoint demonstration be circulated to all Members,
- 2 the scrutiny and policy committees explore a range of options to improve the service areas that have declined in the last three years.

C107

NOTICE OF MOTION

Sustainable Energy

Members considered the following Notice of Motion which had been submitted by Councillors A R Thawley and D Corke.

- 1 Following the success of the “Sustainable Energy” Conference held on 23 March 2004, this Council commits itself to manage its impact on climate change by:
 - (i) Purchasing 15% of its electricity requirements from renewable sources by 2005.
 - (ii) Offering to supply and fit free of charge 3 low energy light bulbs every time we visit one of our tenanted properties to carry out repairs and improvements.
 - (iii) Aiming to cut our energy consumption in Council owned operational property by 10% by 2005 through practical housekeeping measures.
 - (iv) Doing all within its power as the planning authority to encourage developers to use highly energy efficient materials, designs and construction methods.
- 2 That details of the action proposed by this Council be forwarded to the appropriate Minister.

The motion was then moved by Councillor Pedder and seconded by Councillor Bayley.

RESOLVED that the motion be approved.

C108

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.

C109

RESTRUCTURING

Members considered a report concerning a redundancy situation which would occur when a current role ceased to exist once the restructure took place on 1 June 2004.

RESOLVED that

- 1 the post holder identified in the report be made redundant on 14 September 2004 and
- 2 garden leave of 3 weeks be offered to him.

The meeting ended at 10.00 pm. Page 10