

**COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 25 APRIL 2006**

Present:- Councillor P A Wilcock – Chairman.  
Councillors E C Abrahams, K R Artus, H D Baker, P Boland, C A Cant, J F Cheetham, A Dean, C M Dean, C D Down, S Flack, M L Foley, R F Freeman, M A Gayler, E J Godwin, E Gower, D W Gregory, R T Harris, M A Hibbs, E W Hicks, B M Hughes, S C Jones, A J Ketteridge, V J T Lelliott, R M Lemon, J I Loughlin, M J Miller, D J Morson, J P Murphy, V Pedder, A R Row, M J Savage, S V Schneider, G Sell, F E Silver, E Tealby-Watson, A R Thawley and A M Wattebot.

Officers in attendance:- A Bovaird, M Brean, D Burrige, R Chamberlain, J Mitchell, M Perry, P Snow, T Turner and A Webb.

C103

**STATEMENT BY MEMBERS OF THE PUBLIC**

David Corke made a statement in support of a document he had circulated to all Members of the Council 'Integrating Public Transport for Saffron Walden'. He said that the principal aim behind the document was to attempt to link local bus and train services together and persuade car users to use bus services. He hoped that Members would take the opportunity to read the document and consider his suggestions with a view to gaining the support of the District Council for the proposals he had made.

The Chairman commented that Mr Corke's paper would be considered at the meeting of the Uttlesford Transport Forum on 16 July.

Carole Barbone made a statement concerning the expected receipt on the following day from BAA of a planning application to increase the capacity of the existing runway beyond 25 million passengers a year. She said the application, if approved, would result in Stansted having the biggest single runway airport in the world and that this was therefore the most significant planning application ever considered by the Council. Accordingly, it was vital that the Council did not rely upon BAA's projections and she urged the Council to obtain its own fully independent expert advice. She said that every Councillor had a responsibility to ensure that Stansted Airport operated within tight limits that were truly sustainable. Because of the importance of this application the Council bore a heavy responsibility to ensure that the unique character of Uttlesford District continued to be maintained whatever the outcome.

C104

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

Ruth Whitlam presented the report of the Independent Remuneration Panel which had been reconvened on 6 March 2006 to address the following issues:

- Review the level of special responsibility allowance payable to area panel chairmen.
- Consider whether a special responsibility allowance should be paid to policy committee vice-chairmen.
- Review whether the meeting allowance granted to Members of the Licensing Committee should also be payable to the Licensing Committee Chairman.

In commenting upon the outcome of the review, Mrs Whitlam said that, although the area panels were a relatively new concept, it was now clear that their role equated to that of the Council's policy committees and the panel had recommended accordingly. On the second question, she said that a further review was required to decide whether policy committee vice-chairmen should receive the special responsibility allowance. On the third question, it was clear to the panel that an anomaly had arisen which should be addressed in the way reflected in the recommendation.

RESOLVED that

- 1 Area Panel Chairmen receive the special responsibility allowance payable to committee chairmen with effect from 1 January 2006;
- 2 No special responsibility allowance is paid to vice-chairmen at this time, but that this recommendation is reviewed, in the light of information and evidence requested, in the autumn of 2006;
- 3 The meeting allowance of £24 granted to Members of the Licensing Committee in recognition of the unusual and exceptional workload carried during the period June to September 2005, be payable to its Chairman also.

C105

## **MEMBERS' QUESTION AND ANSWER SESSION**

Councillor Flack said that her question had, to some extent, been superseded by the briefing note issued before the meeting by the Executive Manager (Development Services). However, there appeared to be a discrepancy between the figure of £24,860 mentioned in the note and the figure previously given to her as Chairman of the Community Trust. The Executive Manager confirmed that the figure given in the briefing was the one he had been given, but if the information was wrong he would arrange to recirculate a corrected briefing note.

Councillor Murphy referred to the Members' briefing note on Woodlands Park and asked why pressure had not been exerted compelling the developer to complete the north-west bypass. The Executive Manager (Development Services) confirmed that a report would be circulated to the Development Control Committee at the appropriate time setting out the options available.

Councillor Schneider said that the car park at Waitrose in Saffron Walden operated under the Pig Market Charitable Trust. The car park had generated substantial income in the region of £30,000 in 2005 and Councillor Schneider

asked for details of how the fund was presently administered and whether the income was used specifically for the benefit of Saffron Walden. She considered that the proceeds of the charitable trust should be transferred to the North Area Panel for redistribution to the direct benefit of Saffron Walden based charities. The Chairman said that the Executive Manager (Corporate Governance) would respond in writing to Councillor Schneider.

Councillor Lemon said that the Council had been promised a substantial and prominent placard outside the London Road offices expressing opposition to the construction of a second runway at Stansted Airport. He wanted to know why this had not been done. The Chairman assured Councillor Lemon that he would undertake to follow this matter through.

Councillor Miller asked the Chairman of the East Area Panel why the subject of traffic calming at Woodlands Park, Great Dunmow had not been included on the agenda for the meeting of the Area Panel on 26 April and had been included instead as part of the question and answer session. Councillor Gregory said that he was embarrassed that this situation had arisen and that County Council officers would bring proposals to the meeting for discussion with a view to a formal decision being made at the next scheduled meeting on 23 May.

Councillor Ketteridge asked the Chairman of the Performance Select Committee why the Audit Commission's Annual Letter had not been submitted to the Council for consideration as in the past and asked for an assurance that all Members would receive a copy of the audit letter. Councillor Ketteridge asked Councillor Dean to state whether he was disappointed with the outcome of the Commission's letter. The Chairman of the Performance Select Committee said that a recommendation made by the Committee at its meeting on 19 April would be considered under Chairman's urgent items later in the meeting. He assumed that all Members had received a copy of the Audit Commission's letter in the normal way. Councillor Ketteridge asked for further clarification that the letter had been circulated and the Chairman gave an assurance that all Members would be sent a copy.

Councillor Godwin said that it was a cause of concern to her that the Council's funding to the Crossroads Charity had been cut and the organisation was now under threat. She had supported Crossroads as her personal charity during the year of her chairmanship. Councillor Morson responded that Crossroads presently received £3,000 per year from the District Council and £21,000 from Uttlesford PCT. He said that the Council had undertaken to conduct a review of the payment made after three years of the last review in 2004.

C106

## **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors C A Bayley and A Marchant.

Councillor Flack declared an interest as a Member of Essex County Council. Councillors Hughes, Loughlin, Morson, Murphy and Row declared their interest as Members of the Museum Task Group. Councillors Godwin and

Lelliott declared an interest as members of the Museum Management Committee. Councillor A Dean declared an interest as a member of SSE. Councillor Cheetham declared an interest as a member of NWEHPA. Councillor Gower declared an interest as a franchise employee at Stansted Airport.

**C107 APPOINTMENT OF VICE-CHAIRMAN 2005/06**

Councillor Ketteridge said it gave him great pleasure to propose Councillor Row to serve as Vice-Chairman of the Council for the remainder of the current year. The proposal was seconded by Councillor Gayler.

RESOLVED that Councillor A R Row be appointed Vice-Chairman of the Council for the remainder of the ensuing year.

**C108 NOMINATIONS FOR CHAIRMAN AND VICE-CHAIRMAN 2006/07**

Councillor Ketteridge said that, with a slight sense of deja vu, he was honoured to propose Councillor Row to be nominated to serve as Chairman of the Council for the year 2006/07. He said that Councillor Row had first been elected to serve as a district councillor in 1976 and was therefore the longest serving member of the Council, not to have acted in the capacity of Chairman. He had served as Chairman of a number of policy committees during the 1980s and 1990s and had been instrumental in pursuing the successful PFI project. Councillor Ketteridge said that he knew that Councillor Row would fill the position of Chairman with efficiency and dignity. Councillor Godwin seconded the Motion.

It was proposed by Councillor Morson and seconded by Councillor Gayler that Councillor C M Dean be nominated to serve as Vice-Chairman of the Council during 2006/07.

The Chairman confirmed that these nominations would be put forward for consideration at the Annual meeting of the Council on 16 May.

**C109 MINUTES**

The Minutes of the meeting held on 16 February and the Extraordinary meeting held on 21 March 2006 were received, confirmed and signed by the Chairman as a correct record.

**C110 BUSINESS ARISING**

**(i) Minute C82 – Members' Question and Answer Session**

Councillor Cheetham referred to the recent ruling allowing four local authorities to reclaim VAT on income from car parks and the Chief Executive

confirmed that the Inland Revenue had indicated they would lodge an appeal against this ruling.

In relation to the second paragraph of that minute, Councillor Ketteridge said that it had now been confirmed that the Council had expended a total sum of £499,000 in engaging a variety of consultants over the last three years. This sum did not include the total of £81,000 spent in designing and drawing up the Quality of Life Plan. He said that this amounted to a very significant amount of money and expenditure on engaging consultants was likely to increase in the future.

## C111 **CHAIRMAN'S COMMUNICATIONS**

The Chairman informed Members that Mick Purkiss had taken part in last Sunday's London Marathon and had completed the course in a time of 5 hours 26 minutes. He said that, in the interests of charity, he would be jumping off Harlow Water Tower and that Victoria Harvey would be joining him in this venture on Saturday 29 April.

He thanked Members and officers for their attendance at the civic reception. He warned Members that the day of the Annual Meeting on 16 May was likely to be a busy one as a fund raising lunch was planned to take place. He said that he had now made arrangements for a political speed dating event for all Members in the Council Chamber timed to finish before the beginning of the Annual Meeting. He expected that some 30 or 35 young people would be present to take part in this event and a score would be awarded to all participating Members for their communication skills on the day.

## C112 **LEADER'S COMMUNICATIONS**

The Leader gave an update on possible local government reorganisation. His impression was that the Government had back tracked on the idea of imposing an overall structural reorganisation, but that some voluntary restructuring might take place if requested by consenting local authorities. He said that meetings had continued with other Essex authorities and with Essex County Council and that continuing efforts were being made to work together with these authorities, with the aim of providing more efficient local services. As a result of this initiative, Essex Chief Executives had been asked to provide some possible ideas for cutting bureaucracy and sharing costs.

## C113 **MATTERS ARISING FROM COMMITTEES**

### **(i) Constitution Task Group on 23 January 2006 – Review of the Constitution**

Councillor Morson reported the outcome of discussions by the Constitution Task Group regarding the future operation of the Standards Committee. He said that the Council was obliged to ensure that the operation of the Standards Committee was compliant with the Local Government Act 2000 in

that it should have at least two members of the authority and at least one independent person. In addition, if the committee dealt with matters relating to town and parish councils, it must have at least one member representing those councils. The Standards Committee had taken the view that the current arrangements worked exceedingly well and this view had been supported by the Constitution Task Group. It would be necessary for the Council to advertise for the recruitment of independent persons to serve on the Standards Committee at a suitable time before the May 2007 Elections.

Councillor Morson said that the Task Group had taken up Councillor Cheetham's suggestion that the Review and Petition Committee did not have sufficient members and had asked for this matter to be reviewed. The Task Group had also stated that the relationship between area panels and policy committees needed to be examined and more clearly defined and that road safety issues should be given higher priority within the agendas of Area Panels.

Councillor Sell said that his experience as Chairman of the South West Area Panel had confirmed his view that a number of decisions of a purely local nature could have been taken by the area panel, but had not been formally delegated for decision and had therefore needed to be referred back to the relevant policy committee. The Council should make the necessary changes to ensure that decisions were made at the lowest possible level.

Councillor Cheetham said that she had raised the question of membership of the Review and Petitions Committee previously and was glad the proposed changes were now being implemented. She suggested that the name of the Committee should be altered back to the Scrutiny Committee as everyone understood the role and purpose of the scrutiny process. Councillor Ketteridge agreed and said that it would be sensible to change the name at the earliest opportunity.

The Chief Executive commented that the size of membership of the committee did not require notification to the Council but that advance notice would be needed of a proposed change of name as an amendment to the constitution. He suggested that the Council should give notice of its intention to amend the constitution to accommodate this change. Councillor Cheetham therefore proposed, and Councillor Godwin seconded, that the name of the Review and Petitions Committee should be changed to 'Scrutiny Committee'. The Chairman confirmed that this notice of intention would lay on the table for action at the next council meeting.

## **(ii) Community Committee on 16 March 2006 – Designated Public Places Order**

Members received the recommendation of the Community Committee to approve a request for a Designated Public Places Order to be made to deal with antisocial behaviour in Elsenham. Councillor Morson confirmed that the police had asked for the proposed Order to be approved by the Council as a process of public consultation was required to be carried out under statutory provision. He said that a full report on the reasons for requesting an order to be made were included in the report under Agenda Item 15. The Chairman

said that it was his intention to take item 15 now in conjunction with the reference from the Community Committee.

The Executive Manager (Corporate Governance) said that the police could not dictate the Council's internal decision-making processes, but that the matter had been brought to this meeting because the Council had not delegated the necessary power to the Community Committee to enable designated public places orders to be made. He said that the Council could not decide to make the order at this meeting because the statutory public consultation process had not been completed.

Councillor Morson expressed his concern because Elsenham Parish Council was especially keen for the order to be made and implemented as quickly as possible.

To enable the legal position to be properly clarified, the Chairman said that he would adjourn the meeting for a short period. Accordingly, the meeting was adjourned at this point to enable a discussion to take place.

When the meeting resumed, the Chief Executive apologised for any confusion that had arisen and said that the Council could support the intention to make a designated public places order, subject to the satisfactory outcome of the public consultation process, and that a final decision could be made at a future Council meeting. At the same time, it would be possible to resolve that, in future, the designation of public places orders be delegated to the relevant area panel.

Councillor Gayler proposed and Councillor C M Dean seconded that the Council agree the terms of the Chief Executive's clarification. The Executive Manager (Corporate Governance) confirmed that the intention to make an order in relation to Elsenham would be brought back to the Council after consultation had been carried out by the police. It was stated that this process would be commenced immediately.

Councillor Cheetham said that it was quite likely that requests for designated public places orders would be made in other parts of the district and asked if some indication could be given of the likely future financial commitment.

The Chief Executive confirmed that some expenditure would necessarily be incurred in arranging for the display of signs and in monitoring whether any such orders were being enforced. These costs were likely to be insignificant.

Councillor Freeman said that he was in favour of good order in decision making but that this case illustrated the frustration of Members that it was often not possible for the Council's intentions to be carried out in a timely fashion. He said that this damaged the credibility of the Council in the public eye and there was a need to streamline decision making processes.

Councillor A Dean felt that there was a problem with the tracking of committee decisions within the Council's organisation and referred to a number of perceived difficulties in the recent past. He felt that there was a potential resource problem within the Democratic Services Section and sought an

assurance that this matter would be examined. Councillor Dean also referred to the recommendation from the Performance Select Committee on 19 April that he said had not been included on the Council agenda. The Chairman confirmed that the timing of the meeting did not permit the item concerned to be included on the agenda for this meeting. Councillor Gregory suggested that the Elsenham example should be used as a case study to monitor the likely financial and other implications for the Council and that parish councils could be invited to share the cost of this exercise with the Council in future.

The Motion was put to the vote and carried.

RESOLVED that

- 1 The Council give notice of its intention to agree to make a designated public places order at Elsenham, subject to the satisfactory completion of the required public consultation process, and that the matter be brought back to the Council for determination at its next meeting.
- 2 That the delegation scheme be amended so that the relevant area panel is granted the power to make designated public places orders in future cases.

### **(iii) Review and Petitions Committee on 5 April 2006 – Climate Change**

Councillor Flack said that the minutes of the Review and Petitions Committee attached to the agenda for this meeting was self explanatory and largely, at this stage, for information. Councillor Hibbs said that the proposals made at that meeting had largely emerged from a working party he had chaired. He said that the Committee's resolution should have been presented as a recommendation to the Council and that the issues included in the resolution were highlighted in the Nottingham declaration which the Council had now signed. He proposed that the resolution of the Review and Petitions Committee be adopted as Council policy.

Councillor C M Dean seconded this proposal, but was disappointed that many of the elements included in the resolution had not yet been implemented. She said the Council had been talking about a car sharing strategy for staff, and about the principle of recycling all paper products, for some time and clear time scales should now be placed upon these objectives.

After further discussion, the Motion was put to the vote and carried unanimously.

RESOLVED that the resolution contained within RP12 of the Review and Petitions Committee Minutes be adopted as Council policy.

The Chief Executive presented a draft Corporate Plan for 2006/09 and invited Members to endorse the contents of the document. He said that the format incorporated the suggested four priorities for the year as being those dealing



with implementing the Council's recycling strategy, examining proposals for the expansion of Stansted Airport, progressing the ICM process, and increasing emphasis in the sphere of community engagement. The draft plan also included other areas of corporate focus which had been designed to underpin the four main priorities in the document. He said that a major proposal would be brought forward shortly to improve the recycling of paper within the Council. He said that officers were anxious to get to grips with the priorities highlighted in the document and were looking for clear and unambiguous Member support.

Councillor Gayler proposed and Councillor Morson seconded adoption of the draft Corporate Plan.

Councillor Flack said she was in favour of most of the document in principle, but that it contained key risks on matters such as the proposed recycling strategy that she felt had not been properly quantified. She thought that the Review and Petitions Committee should be given the task of considering the draft document with a view to making appropriate comments.

Councillor Ketteridge sought to clarify the way the document had been constructed. He said that previous corporate plan documents had been submitted to policy committees for approval and that a full Council meeting was not the appropriate vehicle for a document of this nature to be discussed. The Chief Executive confirmed that the draft corporate plan had been drafted by the Executive Management Team and that drafts had been shared with committee chairmen and the majority political group.

Councillor Murphy expressed his disappointment that there had been little work done to follow up the excellent multi-cultural festival held last year, especially as this was an area that had been highlighted in the Council's CPA assessment as deficient.

Councillor Morson said that he shared Councillor Murphy's frustration and agreed that the new field officer should have been recruited earlier than was the case but that Cllr Murphy knew that it was not true to say that nothing had happened following last year's festival.

Councillor Murphy objected to this remark and therefore agreed to withdraw his statement that it was not true nothing had happened. Councillor Morson said he was equally unhappy about the delay in taking further action to follow up the work done last year and he hoped that this work would now be put in train.

Councillor Ketteridge said that he was unhappy with the reply given by the Chief Executive to his earlier question and expressed concern that the Corporate Plan had been drafted with little Member involvement. In his view, this practice was neither acceptable nor right.

Councillor Gayler said he had not appreciated that the Conservative Group had not been given sight of the draft Corporate Plan and he apologised for this omission. Referring to earlier remarks made about the multi-cultural festival, he said that an emphasis on equalities had been included in the

Corporate Plan and as far as he was concerned this was regarded as a priority area. He urged all Members to support the Corporate Plan. A vote was then taken and the Motion was carried.

RESOLVED that the Corporate Plan, as presented to this meeting, be adopted for the period 2006/09, subject to the provision of the data on performance standards, which was not yet available.

C115

## **PROCUREMENT**

It was noted that the Operations Committee had referred this item to the Council for decision and requested the Executive Manager (Strategy and Performance) to prepare a further report on questions raised by Members at that meeting. The report presented to Members therefore contained an update on the Council's strategic and operational procurement arrangements. The Executive Manager said that the Council was starting from a small base and did not have access to its own specialist procurement advice. With this in mind, it was being suggested that Uttlesford should enter into a three year agreement for a shared procurement service with other authorities in Essex, funded from within existing revenue budgets, subject to the satisfactory completion of negotiations. She said that the effect of European Procurement Regulations highlighted the need for the Council to smarten up its act to avoid the possibility of incurring financial penalties.

Indicative costs included in the report were for a total expenditure of £24,000 in year one rising to £25,000 in year two and £26,000 in year three. By year three, the net cost to Uttlesford was expected to return to zero, depending on the required targets being met.

Councillor Gayler proposed adoption of the recommendation contained in the report. He said that it was essential to monitor performance in this area to ensure the delivery of targets was met, but he anticipated that the cost of entering into the agreement would be met from savings achieved across the board. Councillor Jones seconded Councillor's Gayler's proposal.

Councillor Cheetham urged Members to take into account the effect of the Council's procurement policy on the local economy and said that specialist local firms should continue to be given priority in ordering goods and services. The Chairman said that he supported this general objective.

Councillor Flack thought that the report was confusing in that the Council was being recommended to enter into a three year agreement, but the shared procurement service appeared to have been set up already. Councillor Godwin agreed and said that £75,000 was a large sum to commit to this project. It would be necessary to monitor closely what happened and she asked whether a get out clause would be available if the anticipated savings did not accrue.

Councillor Ketteridge said that he had expressed his concerns at the Operations Committee meeting that the proposed service would not be cost efficient. He referred to the decision in 2004 to embark upon the Marketplace

ordering service which had cost a significant sum and agreed with Councillor Godwin that a get out clause might become necessary in this case.

The Executive Manager (Strategy and Performance) acknowledged that the cost of the service might increase in years two and three, but said that Marketplace had produced £100,000 in procurement savings to date.

Councillor Gayler acknowledged that the Council was not in a position to employ its own specialist procurement team and that a shared procurement service was the next best available option. The Motion was then put to the vote and carried.

RESOLVED that

- 1 A Procurement Working Group be established and that nominations be sought from groups; and
- 2 The Council enter into a three year agreement for a shared procurement service, funded from within existing revenue budgets and subject to satisfactory negotiations being concluded.

#### C116 **TIMETABLE OF MEETINGS 2006/07**

Members received a proposed timetable of committee meetings for 2006/07. Councillor Cheetham said that she was happy with the proposed timetable but asked whether meetings in connection with the imminent Stansted Airport application were confirmed dates. The Executive Manager (Development Services) said that the proposed dates had been reserved for use if required and information would be given to Members as and when it became clear whether they would be needed. He also said that the Council would engage in a process of consultation with parish councils.

Councillor Murphy wondered whether the increase in the number of Development Control meetings should be referred to the Remuneration Committee for consideration.

RESOLVED that the timetable of meetings for 2006/07 be agreed and adopted.

#### C117 **GREATER CAMBRIDGE PARTNERSHIP**

The Chief Executive reported that the Greater Cambridge Partnership (GCP) had made preparations for becoming a limited company. The Partnership had now been incorporated. The company had been created by Cambridge City and Cambridgeshire County Councils and was now asking each of the other local authority members of the partnership board to sign the application for membership and deed of adherence.

Councillor Cheetham asked whether the representative of each of the local authorities would be protected by indemnity. The Chief Executive confirmed

that GCP had full indemnity in such circumstances and no liability would attach to any of the local authority members of the partnership board. He confirmed that the nomination of a member to serve on the partnership board would be included on the Annual Council Agenda.

RESOLVED that the Council apply for membership of the company.

C118

## **CHARITABLE STATUS FOR THE MUSEUM**

Councillor Morson proposed adoption of the recommendation in the report to this meeting about the formation of a charitable company limited by guarantee for the Museum's Heritage Quest Centre. He said that the Council's involvement in this process was vital as Uttlesford was considered to be the senior partner in the proposed charitable trust. He said that the intention was for the Council to gift land to the new charity to enable it to build the Heritage Quest Centre and that the land would be leased back to the Council at a peppercorn rent.

Councillor Cheetham wondered what the outcome would be if at any time in the future the charitable trust were to dissolve. In those circumstances, would the land ownership automatically revert to the Council? The Executive Manager (Corporate Governance) said that in those circumstances, the Council would have to decide what would happen to the land but it was extremely unlikely that the charity would be dissolved as the trust would have no purpose other than ensuring the completion of the Heritage Quest Centre. Councillor Foley asked whether a recent valuation of the land had been obtained. The Executive Manager (Environmental and Cultural Services) said that a recent valuation had been obtained which she thought was in the region of £750,000. She would ascertain the precise valuation and circulate the details to all Members.

Councillor Murphy commended the recommendation to the meeting and said that the proposed charitable status would be likely to encourage more donations to be made. He referred to similar arrangements operated successfully by Great Dunmow Town Council.

The Leader asked whether the Museum could be operated under charitable arrangements. Councillor Morson responded that the Best Value Review had looked at this possibility already and that the Museum would not easily qualify for charitable status because of its category.

RESOLVED that

- 1 Officers pursue the creation of a new charitable company limited by guarantee as the "Heritage Quest Trust" in association with the Museum Society and other relevant parties to receive monies raised for building the Heritage Quest Centre and to facilitate its building and to report back to the Council with formal proposals including the memorandum of association and articles of association and future appointment to the Board of Directors.

- 2 Land off Thaxted Road, Saffron Walden be gifted by the Council to the new charity for the purpose of constructing the Heritage Centre as soon as the charity had been formed and the necessary funds raised, subject to approval of the Secretary of State if required.

C119

## **NOTICE OF MOTION**

Members received the following Motion proposed by Councillor A Dean:

“Council resolves to build upon the broad principles contained in its statements in December 2005 and March 2006 respectively on the expansion of Stansted Airport on one runway and on a second runway.

It resolves to do so by developing a more detailed policy framework containing parameters that expand on the aforementioned principles. The parameters within this framework are required for use in determining the Council’s opinion on future airport proposals.

The framework is required to address noise, local air quality, emissions and climate change, surface access, visual factors of landscape and light pollution, water supply.

To inform this framework officers are instructed immediately to commission technical work from experts that will include current best practice and technical future feasibility to achieve minimum environmental impact and to maximise sustainability from any growth beyond 25 million passengers per annum. Officers are also instructed to commission legal advice to inform members on the benefits and risks associated with adopting the technical advice.

The output from this work is required to inform a series of member workshops starting in late May 2006.”

Councillor A Dean stated that he had now agreed an amended version of the motion together with his seconders, Councillors Godwin and Cheetham, and proceeded to propose the following motion for agreement by the Council.

“Council resolves to build upon the broad principles contained in its statements in December 2005 and March 2006 respectively on the expansion of Stansted Airport on one runway and a second runway.

It resolves to do so by developing a more detailed framework of material considerations containing parameters that expand on the aforementioned principles. The parameters within this framework are required to assist in assessing future airport proposals.

The framework is required to address noise, local air quality, emissions and climate change, surface access, visual factors of landscape and light pollution, water supply and other relevant effects.

To inform this framework the Council will commission advice from experts on current best practice and technical future feasibility to address environmental effects and to maximise sustainability from any growth beyond 25 million passengers per annum. Legal advice will also be obtained on the planning implications of this information.

The information will be used amongst other things at forthcoming workshops that are part of the development control process and which all members are encouraged to attend, whether or not they are members of the Development Control Committee.”

Councillor Dean said that the way the application for the expansion of Stansted Airport was handled by Uttlesford would be carefully watched by many in the aviation industry and by environmental groups. He said that the resident public of Uttlesford were looking for a clear sign that a correct decision would be made and it was vital that the full reasons were set out for public consumption.

He said he felt the District Council had been misled by BAA when the application was submitted to allow 25 million passengers per annum and that there was a need for the Council to be better prepared on this occasion to meet the challenge of determining such a major and contentious application. To enable the Council to be in this position he suggested that expert advice should be obtained directly by the Council to counteract any misleading propaganda from the applicant. It was vital that full information was available to inform the decisions that would be made and the Council should negotiate toughly to ensure that it did not let down the residents of the district, the eastern region and the country generally.

Councillor Godwin referred to the huge bundle of papers that was expected to be submitted the following day with the application and said that she would need expert advice to help her understand the application detail and the justification for it. In her view the Council should commission help and advice from more than one source to help the Council in taking the correct position. She seconded Councillor Dean’s proposal.

Councillor Lemon said that he supported the Motion, but was disappointed that the original dynamic and hard hitting wording had been diluted and wondered why the sponsoring councillors had agreed the change of wording.

Councillor Cheetham said that she hoped all Members would support the submitted Motion as the Council would need clear help and advice to help it form a proper judgement. She urged all Members of the Council to come to the scheduled special meetings of the Development Control Committee and help in the work of interpreting the application detail. She said that the application had to be determined within a period of 16 weeks and this would be a difficult task to undertake.

Councillor Gayler said that considering this application constituted the biggest single issue confronting the Council and adequate resources would be needed to enable it to be dealt with in a correct, fair and robust manner.

Councillor Cant said that it was vital to involve the public in the application process as far as was possible. Councillor Loughlin said that all Members should support Councillor Cant as Chairman of the Development Control Committee and help to maintain the integrity of all of the Members of that Committee who would be involved in making the decision.

Councillor Freeman supported the Motion and said that he was disappointed the Council's legal arguments were not already in place.

The Chief Executive said that the Council had access to the reserve fund of £400,000 formed to maintain the character of the district and that this fund would be utilised to engage any necessary independent expert advice.

In conclusion, Councillor A Dean thanked the speakers for their contribution to the debate and said that the Motion had been produced in a hurry to meet the deadline for the Council agenda. It had been amended to make clear that the Council's policy was subject to the development control process and he would be happy to explain in more detail the reasons for the suggested amendment to Councillor Lemon after this meeting.

RESOLVED that the Motion, as set out in the text to this Minute, be approved.

C120

#### **CHAIRMAN'S URGENT ITEMS**

##### **(i) Reference from Performance Select Committee on 19 April 2006 – Audit Commission's Annual Letter**

Councillor A Dean said that the Performance Select Committee had considered in detail the contents of the Audit Commission's Annual Letter and had passed a resolution asking the Council to consider particular aspects of this document. The terms of the resolution of the Performance Select Committee had been circulated to all Members for information. He said that part 4 of the resolution was the most relevant to the Council's consideration of this item. He proposed adoption of that part of the Committee's resolution and this was seconded by Councillor Morson.

Councillor Cheetham said it was not good enough that the Audit Letter had not been submitted to Council for consideration and that all Members should have the opportunity to discuss the contents of the letter with the Audit Commission's representatives.

The Chief Executive confirmed that this matter had been delegated to the Performance Select Committee when the recent constitutional arrangements were agreed so this process had been adopted by design and not by accident.

Councillor Gayler considered that the detailed Audit Commission letter was difficult to debate in the forum of a full Council meeting, but that any recommendations to the Council emerging from debate by the Performance Select Committee should be included on the Council agenda in future years. He thanked the Performance Select Committee for the work it had

undertaken. He felt there were encouraging signs in the Audit letter, but there were many areas for improvement highlighted by the Audit Commission and these must be tackled urgently. Some improvements had already been made. For example links with service plans had now been put into place.

Councillor Flack pointed out that the adopted timetable for 2006/07 would not enable any recommendations from the April Performance Select Committee to be referred to the equivalent Council meeting next year.

The Chief Executive acknowledged this was correct, but hoped that the Audit Commission's letter could be considered at the February 2007 Performance Select Committee meeting.

Councillor Ketteridge said that he was disappointed that the report had not been sent to all Members for comment and consideration and that in future the Audit Commission's letter should be presented to the Council. Councillor Lemon agreed and thought it was disgraceful that Members not on the Performance Select Committee had been excluded from this process.

Councillor Tealby-Watson said that the meetings of the Committee had been open to all Members of the Council and that the nature of the meetings held had enabled a genuine discussion to take place.

RESOLVED that the Council adopt the following policy to support future improvement:

- Further development of partnership working
- Increased focus on procurement best practice
- Workshop facilitated by the Audit Commission on the Council's direction of travel performance
- Appointment of Member champions for key priority areas and improvement initiatives and their action to clarify member responsibilities

**(ii) Vacancy on Development Control Committee**

RESOLVED that Councillor Jones be appointed to fill the vacancy on the Development Control Committee for the remainder of the current year.

The meeting ended at 10.30 pm.