

COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 31 JULY 2007

Present:- Councillor C M Dean – Chairman.
Councillors E Abrahams, K R Artus, S Barker, E L Bellingham-Smith, C Cant, R Chamberlain, R Chambers, J Cheetham, R Clover, A Dean, C Down, K L Eden, E Gower, E W Hicks, J E Hudson, D M Jones, A Ketteridge, R M Lemon, J Loughlin, H J Mason, J Menell, D Morson, J A Redfern, H S Rolfe, D J Sadler, J Salmon, S Schneider, R D Sherer, G Sell, C C Smith, A D Walters, A M Wattebot, L A Wells, P Wilcock, A C Yarwood.

Officers in attendance:- A Bovaird, R Auty, G Bradley, M Brean, D Burrige, J Mitchell, P O'Dell, M J Perry, R Pridham, M T Purkiss and T Turner.

C23 MEMBERS' QUESTION AND ANSWER SESSION

Councillor Wilcock asked what proportion of waste collection staff were agency staff and asked for details of the costs in terms of both finance and efficiency. Councillor Barker said that she would provide a written response to Councillor Wilcock within the next two days.

Councillor Hudson asked what was being done about the impact on the noise climate of communities within the proximity of licensed premises following the smoking ban on 1 July 2007. Councillor Hicks said that he would provide a written response to Councillor Hudson.

C24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Anjum, M Foley, M Gayler, E Godwin, S Howell, T Knight, M Miller and D Perry.

C25 DECLARATIONS OF INTEREST

Councillor Chambers declared an interest as a member of Essex County Council and Chairman of the Essex Police Authority and Councillor Barker declared an interest as a member of Essex County Council and Chair of the Regional Housing Panel.

Councillors Eden, Ketteridge, Mason and Sadler declared prejudicial interests as members of Saffron Walden Town Council in relation to the item concerning Greenways, Saffron Walden.

C26 MINUTES

The Minutes of the Annual Council meeting held on 22 May 2007 were approved as a correct record and signed by the Chairman.

C27

BUSINESS ARISING

(i) Minute C19 - Appointment of Committees and Task Groups

At the Annual Council meeting it had been agreed to appoint Councillor P G Leeder as a representative of town and parish councils on the Standards Committee. Councillor Leeder had failed to sign his acceptance of office within time due to ill health. He had now fully recovered and was willing to serve on the Standards Committee.

RESOLVED that Councillor P G Leeder be reappointed as a representative of town and parish councils on the Standards Committee.

(ii) Minute C20 - Appointment of Member Representatives on Outside Bodies

Councillor Barker said that she had not heard from some of the outside organisations to which she had been appointed and asked whether it was possible for officers to provide contact details.

In answer to a question from Councillor Menell, the Chief Executive said that attempts were still being made for a representative of the Council to be appointed to the West Essex Primary Care Trust, but clarified that membership was laid down by the Secretary of State.

C28

CHAIRMAN'S COMMUNICATIONS

The Chairman thanked Members for taking part in the carbon footprint exercise and said that, later in the meeting, she would name the Councillor with the lowest footprint and provide results to other Members in confidence. She would also provide a pack to Members advising them on how to reduce their carbon footprint and the pack would include advice on green electricity and a water saving hippo. The Chairman said that she had attended a number of events including functions at Capel Manor, Layer Marney Towers and Rochford's 13th Century Council Offices.

She said that as Chairman of the Council, she became president of the Museum Society and had attended their recent AGM. She added that there were a number of new acquisitions which made a visit to the Museum well worthwhile and said that there was currently a display of clothes from the 1950's and 60's and the Museum was looking for more. She had attended the Shades for a Day event at Elsenham School with Saffron Sight and had also attended their AGM. She was pleased to announce that a Queen's Award for Enterprise had been presented to Snell and Wilcox of Saffron Walden and congratulated them on this success. She said that the new Vicarage Mead facilities were excellent and the Council should be proud of this project. She had also attended a new project aimed at disaffected young people which had been held at Wicken House. She had attended a number

of fetes with the sustainable roadshow and had visited the Elsenham and Takeley Primary Schools.

She was delighted to announce that in the RCC Best Kept Village Awards, Ashdon had been the overall winner and Hempstead was the winner of its category and had won first prize for its churchyard.

She congratulated Karen Hollitt on achieving a post graduate diploma in Town Planning with distinction and Clive Theobald for achieving a BA Honours 1st in Urban and Environmental Planning. Karen had also been awarded the prize of "Outstanding Student at undergraduate and post graduate level" and Clive had been awarded the Executive Dean's Faculty Prize for excellence, the Course Director's Prize for excellence [best overall student] and the RTPI Denis Fitzgerald Memorial Prize for outstanding work in Social Sciences. The Chairman also wished success to those continuing with their studies.

She concluded that she would be undertaking fundraising by walking round every ward in the district and asked Members to support her and join her at the first event on 16 August starting at Church End, Great Dunmow.

C29

LEADER'S COMMUNICATIONS

The Leader said that the period since the Annual meeting had been exceptionally busy with the new Conservative Administration taking control of the Council and seeking to set in train the directions in which it sought to take this Council over the next four years and beyond.

He said that in that time we have also seen the commencement of the Public Inquiry into this Council's refusal of the planning application submitted by BAA for passenger growth on the existing runway. This had been a difficult period for our planning and legal staff having to deal with the added work pressures that the Inquiry had created. He said that on the occasions that he had been present one could be forgiven for thinking that BAA's legal team were being instructed by HM Government rather than BAA.

Together with three other members and the Chief Executive he had attended the LGA conference in June which he personally felt was a good conference this year with good speakers and he felt sure that all Members who attended made useful contacts.

With the Deputy Leader he had begun meeting Uttlesford staff in groups to explain this Administration's four key priorities.

He stated that the first priority was to bring about the sound financial management of this authority and to ensure over the coming months that we move toward a situation of financial stability. He said he was confident that this would be achieved and steps were already in hand to bring about this recovery.

The Administration believe in putting people, both our customers and our employees, first so in all our actions we will try to involve local people in order that we can take into account their views and preferences. He said that we

could not please all of the people all of the time but we aim to do our very best in this respect.

He added that the aim was to look at and develop partnerships in order that we provide services that our customers want while giving the best value for money that we can. In any event the Government is creating situations where not improving two tier working was not an option. However, the Council wished to improve partnerships and not only with Essex County Council but other Districts, Town and Parishes and any other voluntary or private sector organisation where there was merit in doing so.

The fourth priority was the Environment. He said Uttlesford was a District to be proud of but we do not wish to be complacent about that and we would continue our fight against the prospect of a second runway at Stansted Airport. We are proud of the efforts this District has made in reaching the percentage of waste recycled but again we have made a pledge to ensure that we will wherever possible bring about better value for money for this service and ideas in this respect are being investigated. We will endeavour where we can to fight against climate change and are happy to support the Chairman in her awareness raising campaign. And of course we cannot mention the environment without reference to housing pressures that we have not least from the Government but in providing low cost housing for those who cannot get a foot on the housing ladder.

He concluded that the four priorities were Pounds – People – Partnerships and Places and in these priorities we would ensure that the money the Council received was used wisely.

C30

MATTERS ARISING FROM COMMITTEES – GREENWAYS PLAY AREA

Councillors Eden, Ketteridge, Mason and Sadler, having declared prejudicial interests, left the meeting for the consideration of this item.

Councillor Schneider referred to the decisions which had been taken on this matter by the Community and Resources Committees. She said that the play area in Greenways, Saffron Walden required major work to refurbish and the Council did not have the expertise and resources in-house to manage play areas. Discussions had been held with Saffron Walden Town Council regarding the possibility of the play area being transferred to Town Council ownership, along with a contribution of £20,000 Section 106 money towards the refurbishment, and absorbed into their existing inspection and maintenance arrangements.

RESOLVED that

- 1 The area of land containing the children's play area, shown hatched at appendix 1 (and possibly a little more land if it was decided to enlarge the play area to be negotiated by officers) be leased on a peppercorn rent to Saffron Walden Town Council for a period of 99 years if the Town Council also approves of this arrangement.

- 2 A one off capital contribution of £20,000 be made to Saffron Walden Town Council towards the refurbishment and maintenance of the play area.
- 3 A resident's survey be undertaken to ascertain the preferred type of equipment to be provided on the site.
- 4 Officers work with Saffron Walden Town Council to raise external funding to enable a suitable range of equipment to be installed on the site.

C31

COUNCIL PROCEDURE RULES

Members considered the following motion which had been moved by Councillor A Dean at the last meeting and stood referred to this meeting for determination:-

"That in Council procedure rule 2.7, the phrase "Chairmen of Policy Committees" be deleted and replaced with "Members in receipt of special responsibility allowance". Following discussion, it was agreed and accepted by the mover and seconder of the Motion that it be amended to read:-

"That in Council procedure rule 2.7, the phrase "Chairmen of Policy Committees" be deleted and replaced with "Chairmen of policy Committees, regulatory Committees, the Performance Select and Scrutiny Committees and Group Leaders".

Councillor Chambers had submitted a further amendment which had been duly seconded as follows:-

"and that throughout the constitution, the term "Operations Committee" be replaced with the term "Finance and Administration Committee".

Councillor Wilcock raised a point of order as he felt that the amendment was not connected to the original Motion. He asked the Chairman to rule whether this amendment was valid. The Assistant Chief Executive said that the Motion related to the constitution and the amendment also related to the constitution and was a competent Motion.

Whilst accepting this advice, the Chairman said that she had some concern that a major constitutional change could be moved as an amendment to an existing Motion and this could be passed without the Constitution Task Group looking at the issue in detail. Councillor Cheetham agreed and said that the situation should be tidied up.

The Motion as amended was then put to the vote and carried. Councillor Sell said that the name Resources Committee was a better reflection of the Committee's responsibility as it embraced both finance and human resources. He therefore moved a further amendment that the Operations Committee be renamed the Resources Committee and this was duly seconded. Councillor Jones said that he had some sympathy with the view that Resources was a better reflection of the Committee's responsibilities, but felt that the term

Policy and Resources Committee had been used for many years and was understood by everyone. Councillor Chambers concluded that he still believed that, from a public point of view, Finance and Administration was the better description.

The further amendment was then voted upon and lost and the Motion as amended was then carried as the substantive Motion.

RESOLVED that in Council procedure rule 2.7, the phrase “Chairmen of Policy Committees be deleted and replaced with “Chairmen of policy committees, regulatory committees, the Performance Select and Scrutiny Committees and group leaders and that throughout the constitution, the term “Operations Committee” be replaced with the term “Finance and Administration Committee””.

C32 **REPRESENTATIVES ON OUTSIDE BODIES**

Councillor Ketteridge had advised that he wished to make the following changes to nominations agreed at the Annual Council meeting.

Organisation	Current	Proposed
Board of Turpins Indoor Bowling Club	Councillor Chamberlain	Councillor Ketteridge
Saffron Walden Initiative Partnership Board	Councillor Chamberlain	Councillor Mason
Supporting People – Essex Commissioning Body	Councillor Schneider	Councillor Chamberlain
Uttlesford Citizens Advice Bureau	Councillor Knight	Councillor Howell
West Essex Area Highways Panel	Councillor Chamberlain	Councillor Salmon
Uttlesford Alzheimer’s Society	None	Councillor Hicks
Uttlesford Carers	None	Councillor Bellingham-Smith
Buffy Bus	None	Councillor Schneider

He also asked that the Council approve the appointment of Councillor Rolfe to the vacancy on the Strategic Partnership Reference Group.

RESOLVED that the appointments as listed above be approved.

C33 **JOINT WASTE MANAGEMENT STRATEGY – MEMORANDUM OF UNDERSTANDING AND LETTER OF SUPPORT**

Councillor Barker circulated a written response which she had provided to questions which had been submitted by Councillor A Dean.

She said that the Council was achieving month on month 50% recycling across the District and she thanked the public for their support. She said that

the County Council had recognised the high cost of this Council's kitchen waste collection service and would provide support which would amount to £22,000 in recycling credits in the current year and £59,000 in 2008/09. She added that Uttlesford was performing better than the rest of Essex and the proposal provided a long term strategy for waste minimisation avoiding landfill and LATS penalties. She said that doing nothing would incur a cost burden for all households and she asked for cross party support for the strategy.

Councillor Wilcock said that he had concerns about the document as it did not provide ambitious recycling targets for other areas in Essex. Councillor Ketteridge responded that this was the greenest option that could be provided at the present time with little going to landfill and much of what would go to landfill would be used to generate energy. Councillor Rolfe added that technology was moving quickly and the Council should ask Essex County Council to evaluate all new options including plasma gasification.

Councillor A Dean said that the Council should strive for the best possible solution and following further discussion, Councillor Barker agreed to add the following words to the Motion and this was agreed by the seconder:-

“But that Uttlesford reinforces its opinion that any project should incorporate maximisation of recycling and waste minimisation as a first step”

RESOLVED that Uttlesford District Council adopts and signs the memorandum of understanding for the West Essex Waste Strategy and that the West Essex Area Joint Committee (WEAJC) member for Uttlesford writes to the Chairman of that committee to support the reference project outlined in the OVC, but that Uttlesford reinforces its opinion that any project should incorporate maximisation of recycling and waste minimisation as a first step.

C34

STATEMENT OF ACCOUNTS

Members considered the report of the Director of Resources presenting the Council's draft Statement of Accounts for 2006/07 and providing a summary of the outturn compared to budget. It was explained that the report had been brought to Full Council following the temporary suspension of the final accounts process which should have culminated in the Statement of Accounts being presented to the Operations Committee on 28 June 2007. The Director of Resources also provided a further explanation of the situation and the Chief Executive had circulated a paper which identified what had gone wrong and set out the plans that were in place to restore the Council's financial stability and confidence.

Councillor Chambers said that before the Conservative Administration had taken control he had issued a letter to the press stating that if the Liberal Democrat Administration stayed in power the Council would be bankrupt. There was now a serious shortfall and reserves were at a very low level. He said that the Finance Department had been hampered by lack of staff and increasing demands from Central Government and standards needed to improve. He said that the previous administration had tried to do too many things too quickly and the last minute change to the level of council tax had

hampered the Council's ability to move forward. He added that the first priority was to get the house in order and he had met with officers to agree a way forward. However, he concluded that it would take time to overcome the financial difficulties and he would keep Members informed of progress.

Councillor Sell said that whilst he agreed that attention was needed he did not believe the Council was in a bankruptcy situation and the situation was far more complex. He said that the dramatic decline in council house sales was a contributory factor. Councillor Wilcock said that he was disappointed that the process had been politicised. He said that there had been management failures and he had offered to assist in a joint position to go forward. He hoped that a full investigation would be carried out and reported to the Performance Select Committee.

Councillor Ketteridge stated that the situation had been coming for months and said that when the current budget had been set he had claimed that it was a budget heading for disaster.

RESOLVED that the Council approve the draft Statement of Accounts for the financial year ending 31 March 2007, subject to audit.

C35

CORPORATE PLAN

Members considered a report outlining progress on the Corporate Plan. It was noted that a workshop had been held on 25 May to discuss what should be the Council's priorities for 2007/08 and these priorities were set out in a draft, aligned to the Council's goals and made available for comment by members, town and parish councillors, the community, businesses and staff.

A number of comments had been received and discussions would continue over the Summer with a draft corporate plan being produced in September for public consultation.

In answer to a question from Councillor A Dean, the Leader said that the consultation had been circulated to every household in the District through Uttlesford Life.

RESOLVED that the Council authorises the Chief Executive, in consultation with the Leader, Deputy Leader, Chairman of Operations and Group Leaders to agree a draft Corporate Plan for public consultation.

C36

NOTICE OF MOTION – AFFORDABLE HOUSING

Members considered the following Notice of Motion which had been proposed by Councillor Morson and seconded by Councillor Wilcock.

“The Council affirms that its primary strategic aim in relation to housing is to bring a home within the reach of all people in the District. In this context affordable housing is defined as Council owned provision and high standard

low cost dwellings both for sale on the open market and as RSL houses, either for rent or shared ownership in perpetuity.

The Council very much welcomes the Government's recent commitment to transfer delivery of affordable housing from Central Government to Communities England and it proposes the following measures to address immediate shortages faced by the District.

- 1 The Government is requested to fund needed further expansion of Council owned stock.
- 2 Officers are to draw up proposals to ensure;
 - a) All housing developments in the District will provide 50% affordable housing.
 - b) In order to allow single plots to be available as open market housing, 50% of the cost of construction of an equivalent affordable dwelling be given to the Council as revenue for affordable housing in the District.
 - c) When permission is sought for the restoration of traditional rural buildings for use on the open market, including Barns in the Countryside, 50% of construction costs come to the Council as affordable housing revenue”.

In introducing the Motion, Councillor Morson said that the Housing Needs Survey illustrated that present arrangements were not meeting demands for affordable properties.

He said that the Motion sought to address both of the two fundamental obstacles to increase affordable housing in the District, namely sources of new funding and the availability of suitable sites. He said that the first proposal called on the Government to provide Uttlesford with extra funding in order to increase its own housing stock and the second proposal addressed the problem of available sites for affordable housing in the district and additionally, also provided for extra funding.

He said that the first part of the proposal, requested officers to draw up plans for a 10% increase of Section 106 provision of affordable housing in new developments from the present level of 40-50%. He said that this had been introduced by South Shropshire District Council and there had been no reduction in development applications since the introduction of the scheme last year. He said that this measure would help overcome the issue of lack of site provision and it would be for officers to advise on which ratios of new affordable provision should be for sale and which should be allocated to housing association schemes, whether for long term rent or part rent, part buy schemes.

He concluded that the Motion had the support of the tenant panels and urged the Council to adopt it as a means of taking advantage of current Government policy in order to kick start revised provision of affordable homes for all Uttlesford residents.

Councillor Wilcock said that there was a need for approximately 8,000 affordable houses in the District and if we did not pass the Motion it would particularly disadvantage young people. He referred to a scheme in Dorset where low cost straw houses were being constructed and said that this Council also needed to be radical.

Councillor Ketteridge then moved the following amendment.

“The Council affirms that its primary aim in relation to housing is to work towards bringing an affordable home within the reach of all local people in housing need.

In this context, it reiterates the established policy of requiring up to 40% of new housing development, in appropriate sites, to be reserved for affordable housing – ideally for rented or shared ownership tenure.

To help achieve this, the Council will keep under careful review all new housing initiatives. To this end the Housing Initiatives Task Group will hold its first meeting as soon as possible.”

Councillor Ketteridge added that the original Motion would be punitive for people working to build their own homes and said that there was a lot of affordable housing coming on stream through the current system. Councillor Menell said that ecofriendly housing was often incompatible with affordable housing.

Councillor Yarwood asked that the Housing Initiatives Task Group should look at rented accommodation on an affordable basis as this was the key issue.

Councillor Chamberlain said that it was fundamental to determine what exactly was affordable housing and what was the housing need. He said that the need was for rented accommodation and shared ownership as low cost market housing only gave a small reduction. He said that the scheme in Shropshire did not provide a large amount of rented accommodation. He concluded that Uttlesford had a good record and would continue to build on this. The waiting list was out of synchronisation with housing need and the priority must be to provide local housing for local people.

Councillor Barker reiterated the aspiration that housing provision should be at a 70/30 split in favour of affordable renting. Councillor Cheetham said that there was a need for the Task Group to look at the best way forward and asked that it also look at providing village housing for village people. Councillor Rolfe added that the amendment reiterated the focus on delivering affordable housing.

Councillor Wilcock said that there was a lot of common ground and he hoped that the groups could work together.

Councillor Morson felt that the amendment reinforced the status quo and provided no concrete proposals. He concluded that the Council needed to kick start the process in order to provide sustainable communities.

The amendment was then put to the vote and was carried.

RESOLVED that the Motion as amended above be approved.

C37

CHAIRMAN'S COMMUNICATION

The Chairman reported that 29 Councillors had taken part in the carbon footprint tests and the lowest score had been achieved by Councillor Sadler.

She said that the Council average was 17.6 compared to a UK average of 12 and she hoped that the packs provided would enable Members to reduce their carbon footprint.

The meeting ended at 9.10 pm.