

**COUNCIL MEETING held at 7.30 pm at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN on 24 FEBRUARY 2009**

Present: Councillor R M Lemon – Chairman.  
Councillors K R Artus, S Barker, E L Bellingham-Smith, C Cant,  
R H Chamberlain, R Chambers, J F Cheetham, R Clover,  
J E N Davey, K L Eden, E Gower, E W Hicks, S J Howell,  
D M Jones, A J Ketteridge, T P Knight, H J Mason, J E Menell,  
M Miller, D J Morson, D G Perry, J A Redfern, H S Rolfe,  
D J Sadler, J Salmon, S V Schneider, G Sell, R D Sherer,  
A D Walters, A M Wattebot, L A Wells, P Wilcock and A Yarwood.

Officers in attendance: J Mitchell (Chief Executive), Michael Perry (Assistant  
Chief Executive), Rebecca Procter (Democratic Services Officer)  
and A Webb (Director of Central Services).

C80

**MEMBERS' QUESTION AND ANSWER SESSION**

Councillor Wilcock asked the Chairman of the IT Working Group to comment on changes to U-Connect, and in particular, the prohibition on using external USB ports with Council computers. He was concerned about implications for those Members who were not fully up to speed with these changes.

At the request of Councillor Howell, the Director of Central Services responded. Members would need to complete a form every three months in respect of each item they used with their laptop. He acknowledged this was an onerous requirement for both Officers and Members. However, he was able to confirm some good news, in that autoforwarding of email could continue.

Councillor Menell asked the Director of Central Services to comment on the availability of help to elderly people who found the modern expectation that most people had access to the internet very isolating. The Director of Central Services said he was aware of courses which had been run by certain schools, and would look into the possibilities further.

C81

**APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Abrahams, A Dean, C M Dean, Down, Foley, Hudson, Loughlin and Smith.

*Councillor Barker declared her interest as a member of the County Council and of the Essex Fire Authority.*

*Councillor Chambers declared his interest as a member of the County Council and as Chairman of the Essex Police Authority.*

*Councillor Ketteridge declared his interest as a member of Stop Stansted Expansion.*

C82

## **BUSINESS ARISING FROM MINUTES OF MEETING HELD ON 16 DECEMBER 2008**

### **(i) National Air Traffic Service**

Councillor Wilcock referred to reports that the NATS' consultation had been delayed, and asked whether any information had been sent to Members from the Council, or indeed whether the Council had received information from NATS.

Councillor Ketteridge replied that he had been going to speak on this matter under Leader's Communications. Whilst he had not had the opportunity of speaking to the Acting Director of Development today, he was able to report that a letter from NATS had been received by the Council. NATS had abandoned its current proposals and had gone back to the drawing board. A further consultation had been indicated but no timescale had been given.

Councillor Sell said it would be helpful for Members to receive a statement from the Acting Director of Development, rather than having to rely on media reports.

The Chief Executive said Members would be kept informed of developments once notification was received from NATS.

C83

## **MINUTES**

The Minutes of the meeting held on 19 February 2009, having been received, were approved as a correct record and signed by the Chairman, with the following amendments:

At Minute C76, where a reply was given by Councillor Chambers, this should read 'Councillor Chambers replied that it had been decided not to purchase replacement vehicles for the coming year.'

The reference on the third page of Minute C79 to Councillor Chambers' comment on unbudgeted surpluses, to include the words 'at the present time' at the end of that sentence.

Comments by Councillor Yarwood at Minute C73 to include after the words 'was pleased that the plan had been linked to finance but remained concerned about the capacity of the organisation to carry out effective monitoring' the additional wording 'of any services which were outsourced or were operated in partnership with other bodies.'

C84

## **BUSINESS ARISING**

### **(i) Minute C73 – Corporate Plan 2009-2012**

Councillor Morson referred to comments regarding the Tourist Information Office. Whilst he said he did not wish to get into those arguments, he felt it was not quite accurate to say that the service offered by the Tourist Information Centre after the transfer to the Town Council was 'exactly the same'. He referred to the Olympics Task Group which had been set up in 2006, in order to see how the Council could maximise opportunities arising from the Olympics for local businesses. He recalled that a forum for local bed and breakfast businesses had

given them a good boost. No meetings had now taken place for some time, and whilst he acknowledged that economic circumstances might limit such opportunities, he was concerned that momentum was being lost. He did not believe the Council had progressed in this area, and he did not consider the tourism service to be the same as it had been.

Councillor Ketteridge said he had thought such references related to the services of the TIC rather than tourism as a whole, as there had been no change in the day to day activity of the TIC. During the review in 2007 tourism had been identified by the Strategic Management Board as one of the functions the Council did not have to do. He therefore accepted that tourism development had changed in that sense.

*Councillor Sadler declared his interest as a member of Saffron Walden Town Council.* He was exasperated by criticism of the running of the TIC. The service did not just cover Saffron Walden and research showed it was used mostly by people outside the town. The transfer had been a positive arrangement and the service had improved.

*Councillor Eden declared his interest as a member of Saffron Walden Town Council.* He said the Town Council had spent £40K in improving the tourism service. For the sum of only £5K parishes had been invited to engage with the tourism service, but none had been willing to contribute.

Councillor Sell asked the Leader to clarify the role of the Council in promoting this area during the Olympics, and wondered whether it might be left to Saffron Walden Town Council.

In reply, Councillor Ketteridge said the Council was not leaving it to the Town Council, but that the Council did not have a resource for such promotion at the present time.

Councillor Cheetham said the County Council was taking a major lead on 2012 regarding events in Essex. She was confident that the Council's officers were being kept well-informed, but asked the Chief Executive to obtain an update on how this work would tie in with the Council's Olympics Working Group.

The Chairman said he would represent the Council at an Olympic Conference in Southend in April, and invited Members to send him any requests for information about the event.

The Chief Executive confirmed that the County Council had taken a strong role on the 2012 Games. Since the district was one of the points of entry, there were many points to keep in mind, and officers would circulate information on initiatives to be taken forward by bodies such as the County Council, the East of England Development Agency and the Regional Assembly. He added that tourism was not a priority for the Council, and the Audit Commission would not support the concentration of resources into low priority areas.

C85

## **CHAIRMAN'S COMMUNICATIONS**

The Chairman gave a brief report on a series of visits he had made to sheltered accommodation in the District. This had been an enjoyable day and he was grateful to Helen Harvey for doing a superb job.

He congratulated the Chief Executive on completing his first year since taking on the post.

Regarding the necessity for this meeting, he said it had been a choice made by Members last April. He had heard views expressed against holding two meetings in such close succession, and he would suggest Members consider what arrangements they required next year. Councillor Barker suggested the opportunity to adjourn the meeting should be provided by including the item for any other business on the agenda at the budget setting meeting. The Assistant Chief Executive said if a meeting exceeded two hours' duration the Chairman should seek the views of Members as to how long the meeting should continue. Where necessary unfinished business could be adjourned to another date.

C86

## **LEADER'S COMMUNICATIONS**

Councillor Ketteridge said he had already mentioned NATS.

Due to bad weather a meeting of the Voluntary Improvement Board had been postponed to April.

A joint roadshow arranged by the County and District Council for those on benefits seeking help during the economic downturn would take place in Crafton Green in Stansted Mountfitchet next week.

Councillor Ketteridge referred to a letter from Teresa Villiers MP published in the Hertfordshire and Essex Observer last week on the Conservative Party's policy on Stansted Airport. He said he had now received a letter from David Cameron MP, which gave further reassurance on this point. He read an extract as follows: 'If a second runway is approved before the next General Election, we are committed to cancelling it if we are elected. I can also assure you that a Conservative Government under my leadership would never approve plans to build a second runway at Stansted.'

Councillor Ketteridge proposed that if Members agreed, he should write to the Minister for Transport in view of these statements, to ask whether it would be wise to hold a public inquiry at this time. Members agreed to this course of action.

RESOLVED the Leader to write to the Minister for Transport regarding Stansted Airport, suggesting in view of various factors that holding a public inquiry into G2 at this time would be a waste of public money.

C87

## **REFERRAL FROM STANDARDS COMMITTEE**

The Assistant Chief Executive gave a brief explanation of the legal requirements for maintaining and making publicly available a register of Members' interests.

The register was kept at the Council's offices and was made available to the public on request. Since the Freedom of Information Act, the position had changed slightly, in that people could ask for a copy of the register and there was no exemption under the Act which would permit such a request to be refused. In the interests of improved transparency, it was now suggested that an electronic form of register be placed on the Council's website. Sensitive information could be excluded. Furthermore there was a Local Government Chronicle award for standards and ethics in local government, and such an innovation could help the Council achieve the shortlist for this award next year. Some authorities, although none at this time in Essex, already followed this practice.

Councillor Wilcock said there was no reason why the information should not be put on the website, and proposed the motion. Councillor Cant seconded the motion.

A number of views were expressed. Councillor Jones said whilst he had no objection to his details being made available in this way, this was a matter for individual conscience and those who were absent should have the opportunity to decide for themselves.

Councillor Barker sought clarification on whether the proposal meant that some or all records should be published. The Assistant Chief Executive explained that under the Human Rights Act, an individual had the right to privacy and a home life. That right was infringed by public disclosure requirements on Councillors, but courts had decided that such infringement was proportionate. Neither was there any infringement under the Data Protection Act. Therefore, Members' consent to electronic publication was not needed. Individual Members could opt out, but this was not part of the recommendation. Publication of details would be the default, unless objections were received.

Councillor Lemon asked Councillor Wilcock whether he would be happy to accept an amendment to add a provision for an opt out clause. Councillor Wilcock agreed that this was acceptable, but urged Members to be more transparent.

Several Members raised concerns at the potential for information published on the website to be misused. The Assistant Chief Executive said there was no requirement to verify the identity of those who wished to examine the Register, and that in any event Freedom of Information requests could be made by email, and there was again no entitlement to confirm the identity of the person making a FOI request. Over the years there had only been a minimal number of requests to see the Council's register of Members' interests.

Various comments were made in favour of the proposal as amended. The Council should ensure its provision of information was adequate. It was naïve to think that most of the information which would be given was not available in some other way on the internet. The Council should encourage the public to want to know this information, and to make it difficult for them was preposterous.

Further points were raised disputing the need for website publication. There was a fundamental difference between a request for information and perusal of a website, which could increase the possibility of ill-informed press comment.

The Leader said it was evident that this matter had not been discussed in party groups, and rightly so. He recalled sensitivity of parish councils to the requirements for disclosure under the new code of conduct, which was detrimental to the government's intention to encourage more people to become councillors. This proposal could be a further discouragement to those considering standing as a councillor. Members who opted out had nothing to hide, and this was a matter for individuals to decide.

Councillor Sell said that many councils were moving in this direction. One aspect of this greater transparency was showing where sympathies lay in terms of which organisations councillors belonged to.

Councillor Cant said this had not been a wholehearted decision for the Standards Committee. Members of the Committee had, however, been united in their view that they could not pontificate on standards on the one hand, whilst keeping their own affairs secret. She did understand the concerns, but had received assurances that there was a dispensation to omit disclosure of sensitive interests. She was happy therefore to second the proposed amendment to allow an opt out clause.

The motion was then put to the vote and declared carried by 16 votes to 13.

RESOLVED the Members' Register of Interests be published on the Council's website with the proviso that opting out of such publication be a matter for each Member to decide in respect of their own entry.

The meeting ended at 8.30 pm.