

COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 9 APRIL 2013 at 7.30pm

Present: Councillor C Cant – Chairman.
Councillors K Artus, H Asker, S Barker, R Chambers, J Cheetham, J Davey, A Dean, R Eastham, K Eden, I Evans, M Foley, E Godwin, S Harris, E Hicks, D Jones, A Ketteridge, J Ketteridge, T Knight, K Mackman, J Menell, E Oliver, E Parr, V Ranger, J Redfern, J Rich, H Rolfe, J Rose, D Sadler, J Salmon, A Walters, D Watson and L Wells.

Officers in attendance: J Mitchell (Chief Executive), M Perry (Assistant Chief Executive – Legal), R Harborough (Director of Public Services), M Cox (Democratic Services Officer), R Auty (Assistant Director Corporate Services) A Webb (Director of Corporate Services).

C80 MINUTE SILENCE

The Council stood in silent tribute to former Councillor Stephen Jones who had died recently. Councillor Jones represented the Saffron Walden Castle Ward from 2003 to 2007.

C81 PUBLIC SPEAKING

Peter Wilcock former district councillor, made a statement and asked two questions, which were answered by the Chief Executive. These are recorded in the appendix to these minutes.

C82 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors G Barker, D Crome, J Freeman, S Howell, R Lemon, J Loughlin, D Morson, D Perry and L Smith.

Councillors Chambers declared a non-pecuniary interest as a Member of Essex County Council and the Essex Fire Authority.

C83 MINUTES

The minutes of the meetings held on 28 February 2013 were received, approved and signed by the Chairman as a correct record subject to the deletion of the last line of minute C79 to reflect the fact that the minute was a record of discussion and no statement had been made to that effect.

C84

BUSINESS ARISING

(i) Minute C66 – Reports from the Leader and members of the Executive

In answer to a question from Councillor Evans, Councillor Walters confirmed that the funding available for local highway schemes in 2013/14 was the same as the previous year at £472k.

(ii) Minute C67 – Members questions to the Leader members of the Executive and committee chairmen

Councillor Rolfe said that the council continued to work with BT to deliver superfast broadband where possible in the District. BT was still working to its programme plan and he could provide up to date figures if required.

(iii) Minute C79 – Amendment to Part 5 of the Constitution

Councillor Dean asked for clarification on the outcome of the discussion regarding public speaking at Planning Committee meetings. Councillor Cheetham explained that the council had decided not to put a restriction on numbers speaking, although this had been the practice for a number of years. The result was that there was now no restriction on the numbers that could speak either in favour or against an application.

C85

CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked all members who were planning to come to the civic dinner on 16 April. She reported on a recent engagement, the opening of Home Group's affordable housing at Forest Hall Park, and said she had been impressed by the open and spacious layout and the design of the houses. She hoped that this would become the norm for other affordable housing schemes in the district.

C86

REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE

i) Leader of the Council

The Leader asked members to join in tribute following the recent death of former Prime Minister Baroness Margaret Thatcher. In accordance with protocol the flag at the council offices would be flown at half-mast on the day of the funeral.

He referred to the recent visit of Brendon Lewis MP, Under Secretary of State for Communities and Local Government. Following the meeting the MP had sent a note that he was pleased to meet members and hear Uttlesford's financial success story. He also indicated that other councils were keen to learn about the initiatives that the council had put in place.

The Halifax recent survey of rural districts had placed Uttlesford as the 2nd best place to live in the country.

The Council was participating in the Essex Community Budget and he would be representing Uttlesford and Epping Forest on the Project Board.

The council offices had been refurbished to accommodate staff from ECC Social Services on the top floor of the building. The staff would be moving in this week and it was hoped that having more than one agency on-site would be advantageous to the public.

Councillor Chambers and Gloria Osborne, Housing Officer had been featured on the BBC Sunday politics show in relation to action being taken by the Council in anticipation of housing benefit changes. The council had been held up as an example of good practice in this area.

(ii) Councillor Redfern – Executive Member for Housing

Councillor Redfern commented on the Chairman's statement in relation to affordable housing. She had visited many affordable developments in the district and said that high standard developments were the norm rather than the exception.

She gave a brief outline of the action being taken by the council to assist tenants affected by the Government's recent welfare reforms. All tenants affected by the under-occupancy 'bedroom tax' had been contacted and asked to complete a survey of their needs. A visit would be made to all those who had requested help to discuss options going forward and officers would be liaising with other charities/organisations to provide other forms of assistance. To assist with this work a new post of Rent Arrears and Debt Support Officer had been created.

(iii) Councillor Chambers – Executive member for Finance

Councillor Chambers said he was pleased that the Council's achievements in financial management had been recognised by the Minister but due to future uncertainties the Council would continue with its prudent approach to budgeting.

The Council was dealing with the implications of the Government's benefit reforms. Council Tax had been abolished and replaced with Local Council Tax Support. Under the council's scheme working age people previously on council tax benefit would be required to pay up to 8.5% of their bills, for other many authorities this was around 20-30%. The Council's scheme would be reviewed during the year.

The Cabinet had approved a Discretionary Housing Payments Policy to provide additional temporary support for those tenants affected by the under occupancy reforms. The benefits cap would come into force later in the year, which aimed to ensure no benefits claimant received more than the average working wage. Outreach work was taking place with the households affected by this change. Work was also continuing towards the transition to Universal Credit expected to come into force in spring 2014.

(iv) Councillor Barker – Executive member for Environment

Councillor Barker made a statement in respect of the local plan preparation process. She said the council was aiming to adopt an up to date local plan as promptly as possible. The proposals had been based on extensive consultation with residents, businesses, local councils and other statutory bodies. The council had to have evidence to demonstrate that the proposals were sound in order to pass scrutiny at public examination, and avoid reference back for further work. A thorough investigation of all the issues raised in consultation had to be undertaken and further technical work carried out. The administration was determined to expedite progress but without compromising the soundness of the proposals.

She concluded that it was regrettable that the opposition has not chosen to contribute to this process by engaging fully in discussion of the issues, nor was there an evidence based, alternative, specific set of proposals.

C87

MEMBERS' QUESTIONS TO THE LEADER MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRMEN

In relation to the housing benefit reforms, Councillor Watson asked if there could be flexibility in the scheme to allow separated parents to retain an additional bedroom to allow their children to stay for part of the week. Councillor Redfern said that although she was sympathetic to this situation, the housing benefit reforms were a national scheme. The council had to be fair to all its residents and concessions for those individuals could have the effect of penalising other families on the housing waiting list.

Councillor Dean asked the Leader if the Constitution Working Group could look at the current procedures for the Council meeting. He was particularly concerned about the practise of allowing statements to be made by the Leader and executive members. This appeared to amount to political point scoring and was unbalanced as the opposition members did have a similar opportunity. The Leader replied that any member could ask questions and challenge the statements made.

Councillor Rich asked if there were plans to work further with Home Group housing association, given the quality of the houses at Forest Hall Park. Councillor Redfern was not sure of future plans but said that there were many examples across the district of different housing associations producing good quality developments.

Councillor Godwin said she was aware that some elderly people were confused about the various benefit reforms and whether they might be adversely affected. She asked if the Council could issue a press statement to clarify the situation. The Leader confirmed that the changes did not affect elderly people and he would arrange for appropriate publicity.

Councillor Rose asked why a shared owner property in Newport appeared to have been offered Essex wide. Councillor Redfern replied that the planning

agreements for developments such as Bowker Close provided for preference to be given to qualifying households with connections to the settlement and then to those with connections to surrounding parishes.

Councillor Knight asked Councillor Chambers to be aware of problems likely to arise when Universal Credit was introduced and housing benefit payments were made directly to the tenants. She was aware that in the pilot areas arrears had increased by 50%.

She asked Councillor Walters about the action that could be taken in relation to the increasing number potholes on roads across the county and the failure of County Council officers to respond to correspondence.

Councillor Walters said he was aware of the current difficulties with communication at ECC due to reorganisation and reduced personnel. The pothole problem had been exacerbated by the long and severe winter period. The County was taking steps to increase the budget for maintenance and repairs. He would circulate a link to the maintenance programme to all members for information. Councillor Chambers added that the 2013/14 maintenance budget had been increased considerably but there was a finite resource available to the council and a limit to how much money could be spent in one area.

Councillor Davies asked if action could be taken to address the shortage of dog fouling bins on the Woodlands Park estate, Great Dunmow. Councillor Barker replied that this was a new estate and possible locations would be identified. Councillor Ketteridge added that the Council had recently issued a press release advising residents of the penalties for dog fouling.

Councillor Menell asked if it would be possible for a housing officer to attend some of the Buffy Bus sessions as they were frequented by young mothers who were likely to be affected by the welfare reforms. Councillor Redfern said she would take this suggestion on board and asked members to advise their constituents that officers of the council were willing to answer any problems or concerns.

C88

NOMINIATIONS FOR CHAIRMAN AND VICE CHAIRMAN OF THE COUNCIL

Councillor J Ketteridge proposed and Councillor Cheetham seconded that Councillor Hicks be nominated for election as Chairman of the Council for the ensuing year.

Councillor J Ketteridge proposed and Councillor Cheetham seconded that Councillor Artus be nominated for election as Vice-Chairman of the Council for the ensuing year.

The nominations would now stand adjourned for adoption at the Annual Meeting of the Council.

NOTICE OF MOTION

Councillor Parr proposed, and Councillors Dean, Loughlin, Morson, Evans and Foley seconded the following motion, of which notice had duly been given under Procedure Rule 10.

“This council is disappointed with the execution to date of its Local Development Framework and the delivery of its Local Plan. It resolves to make improvements from now onwards to achieve a prompt completion of an effective Local Plan in partnership with residents, businesses, towns and villages.”

Councillor Parr spoke to the motion. She was concerned at the way the local plan was being developed and this concern had also been expressed by local residents. It had been a faltering process since the 2007 preferred option for a single settlement. Now in 2013 the new properties had not been built and a 5 year shortfall in houses had led to the threat of large inappropriate developments. The plan was now being cobbled together in two rather than six years but the communities should still have their say. She asked the council to re-focus its work on the local plan, to work in partnership and allow everyone to take part in the process.

Councillor Dean, who had seconded the motion, said that residents had been let down by the local plan process. It appeared that matters had been taken out of the Council’s hands and the proposed draft plan might be changed by planning applications coming forward in the wrong place. The council was now in a serious and disappointing position; it could do better and he suggested a change in approach. He asked the Leader to confirm when the plan was likely to be adopted and by what means. In any event the council should move forward in consultation with the community.

Councillor Ranger said the local plan preparation process had been underway for some time. It was a complex and crucial matter and due diligence had to be applied. The LDF working group was where the core work on the plan took place, so he questioned why the Liberal Democrat members had been asked to leave the group by its leadership. The only residents that had been let down were those represented by those members. Discussion on this issue should take place within the council and not in the press. He felt that the motion was trying to portray apathy in the working group, whereas the group was working in calm and rational manner towards an appropriate plan for all communities. He would not vote for this mischievous motion.

Councillor Watson said that the motion was a meaningless gesture with nothing new to offer. The plan preparation was a very serious matter and the public was tired of political point scoring. He pointed out that at no stage had the opposition members voted against any of the decisions in the local plan preparation and they had not put forward any alternative proposals. They should tell the public whether they would vote for or against the plan.

Councillor Ketteridge refuted the claim that the Council had not taken account of representations. The housing numbers and distribution options had been

reviewed after 2008 after the likely reduction in the RSS figure. This distribution policy was in fact was very similar to the proposal that had come out of the Liberal Democrat led Strategic Development Working Group. He was perplexed about this motion and would vote against.

Councillor Rose said that representation received from residents were taken into account, this had been the case for the proposals for Newport. Councillor Rich echoed these comments. He said that a majority of Stansted residents had very strong views on resisting another substantial development, so questioned why Councillor Dean was supporting proposals for a large development in the area.

Councillor Parr replied to the comments made. She explained that the Liberal Democratic members had withdrawn from the LDF Working Group because they considered the process to be undemocratic. They had asked for changes for it to be more transparent, but these had not been addressed. She confirmed that she had attended all the local plan consultations and if she was asked to vote now, she would vote against the plan. She concluded that the Motion reflected the mood of the public that there should be greater involvement in the process.

The Motion was put to the vote and lost.

The meeting ended at 9.35pm.

PUBLIC STATEMENT

Peter Wilcock

Peter Wilcock thanked past and present Members and staff for all the assistance they had given him until his recent decision to stand down from the Council. This had been a difficult decision but due to turmoil in his public and personal life it had become clear that he was no longer able to carry out his role as councillor.

In relation to the comments made in the Saffron Walden Reporter he clarified that he had tried to remove all personal files from his laptop. However, some had failed to transfer, the computer had crashed and he had brought it to the council IT department for repair. The laptop had contained pictures of his partner but these were for personal use and were not illegal. He was disappointed that the Chief Executive had refused to discuss this matter with him but had been prepared to discuss the issue with members of his family.

He wished the council well in the future, particularly with the LDF process and he hoped that opportunities for local young people would be given the highest priority.

He asked the following questions of the Chief Executive:

- 1 Will the Chief Executive confirm that he recently made a statement to the SW reporter in relation to my resignation from the council regarding my private use of a council laptop, and confirm that no further statements will be made especially regarding confidential casework of residents of my former wards.
- 2 To ask the Chief Executive why he has failed to respond to requests to discuss these matters despite his apparent ease of discussing them with other public officials and members of my family

The Chief Executive gave the following reply:

- 1 On 27 March I made a statement to the Saffron Walden Reporter, as follows: "*Peter Wilcock chose to resign as a councillor after being asked to account for the discovery of a large amount of gay pornographic material – including videos featuring explicit sex acts - on a UDC-owned laptop which had been in his possession. The material came to light when the laptop was handed to the council's IT department by Mr Wilcock to be repaired.*". This was in response to an enquiry from them on 26 March over whether Mr Wilcock resigned as a councillor after being challenged about pornography on his laptop. The statement I made is factually correct. I can confirm that I will not release details of confidential casework and, indeed, know of none. I cannot confirm that I will make no further statements as this will depend on circumstances.
- 2 The reason I have not spoken with Mr Wilcock is because in January I had a long and frank private meeting with him and immediately afterwards we joined his then group Leader and deputy Group Leader for a further meeting. I have nothing to add to the outcome of that meeting. As he has been told, I am happy to deal with a written enquiry but none has been received.