

**COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 10 DECEMBER 2013 at 7.30pm**

Present: Councillor K Artus – Vice-Chairman in the Chair.  
Councillors H Asker, G Barker, S Barker, R Chambers, J Cheetham, J Davey, P Davies, A Dean, R Eastham, K Eden, I Evans, M Felton, M Foley, J Freeman, E Godwin, S Harris, S Howell, D Jones, A Ketteridge, J Ketteridge, T Knight, K Mackman, J Menell, D Morson, E Oliver, E Parr, J Parry, D Perry, V Ranger, J Redfern, J Rich, H Rolfe, J Rose, L Smith, A Walters, D Watson and L Wells

Also present for item 4: John Nowell (Chairman), Jackie Anslow and Janet Pearson (members of the Independent Remuneration Panel)

Officers in attendance: J Mitchell (Chief Executive), S Ellis (Revenues Manager), M Perry (Assistant Chief Executive – Legal), R Harborough (Director of Public Services), S Joyce (Assistant Chief Executive – Finance), A Parry-Jones (Project Officer) and P Snow (Democratic and Electoral Services Manager)

**C43 PUBLIC SPEAKING**

Mr M Everett made a public statement set out in full as an appendix to these minutes. At the conclusion of his statement he presented a petition calling on the Council to vote against the proposed changes to the Local Council Tax Support scheme.

**C44 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors C Cant, E Hicks, M Lemon, J Loughlin, D Sadler and J Salmon. The Vice-Chairman welcomed Councillor Felton to her first Council meeting.

**C45 MINUTES**

The minutes of the meeting held on 8 October 2013 were received, approved and signed by the Chairman as a correct record, subject to the substitution of J Freeman for R Freeman in the list of apologies.

**C46 REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR 2014/15**

The Vice-Chairman invited John Nowell, as Chairman of the Independent Remuneration Panel, to present the Panel's report for the structure of allowances recommended to be paid to members in 2014/15.

Mr Nowell thanked his colleagues on the Panel and also Mr Snow and the Chief Executive for their guidance in drafting the report clearly and to reflect the Panel's wishes.

He said that the Panel had been set up under the relevant legislation to act as an independent body in assessing the correct level at which members' allowances should be set. It comprised three members of the public acting in an independent role. That role was to undertake necessary research in order to make proposals on the level of basic allowance payable to all councillors and on special responsibility allowances, payable to those councillors undertaking specific additional areas of responsibility. Having considered these proposals, the Council was at liberty to accept or vary them.

The executive arrangement in place at Uttlesford was the leader and cabinet model. This was of relevance in benchmarking with appropriate local authorities using similar models. A major benchmarking exercise was undertaken in formulating the proposals for the present year and that was the first part of a three year phasing in package intended for completion in 2015/16. By then it was intended that appropriate levels of allowances would be in place to meet the challenge of the executive model in operation.

The proposals would lead to a small blip in the overall cost of the scheme in 2014/15 but it was then likely that costs would fall in 2015/16 to a level lower than was applicable in 2012/13. His conclusion was that the recommendations provided for a suitable scheme for the new executive model now in place.

Mr Nowell said that he would be happy to provide any clarification needed.

The Vice-Chairman asked Mr Nowell if he would expand on the comments in paragraphs 23 to 27 of the report.

In response, Mr Nowell said that how the Council was run was a matter for members to determine and not for his Panel. However, levels of delegated responsibilities granted to executive members were a valid point of comparison with other similar authorities. The Panel had slight concerns over the implications for the intended recommendations for 2015/16 if levels of responsibility were different to those used for benchmarking purposes. They would need to consider all of these factors in deciding what to propose next year.

Councillor Dean then asked whether the Panel had considered the role of leader of the opposition.

John Nowell said that it was difficult to benchmark the role of opposition group leaders as there was a great deal of variation in methods of operation. The Panel intended to phase out the group leader's payment to the majority group leader as that was always likely to be the leader of the largest group on the Council. Account had been taken of the position of leader of the largest opposition group as part of last year's settlement and the payment was now higher than under the previous formula. Councillor Dean and other members were welcome to highlight any concerns they might have in this area.

Councillor S Barker proposed adoption of the recommendations set out in paragraph 12 of the report and this was duly seconded by Councillor Ranger. She said that she had not felt inconvenienced by the delegation scheme as a member of the Cabinet in representing the Council on joint bodies such as the

North Essex Parking Partnership. As this was a difficult matter for members, she wondered whether the Council could set allowances for a four year term rather than annually.

In referring to paragraphs 21 to 24 of the report, Councillor Knight highlighted the comment about the low number of decisions taken by the Leader and the lack of any provision for taking urgent decisions. She said this was unsatisfactory and asked whether it was felt by the Panel that the system should be reviewed.

Councillor Dean expressed his concern that allowances for the deputy leader and executive members were being increased by 24%. He proposed an amendment that a thorough review of the cabinet system should begin in early 2014/15.

Councillor Chambers said that the allowances scheme was a matter for the Remuneration Panel but that the cabinet system was a matter for the Council to determine.

In answering the question raised by Councillor Knight, Mr Nowell said he had noted that the Scrutiny Committee had reviewed the effectiveness of the cabinet system but without any apparent final outcome. The 2015/16 review would benchmark the executive system as it was operating at that time. In determining the allowances to be recommended, the Panel would take into account whether similar levels of delegation existed to those operating elsewhere. However, it was entirely up to the Council, and for the Leader, to operate how it best saw fit.

The Leader reminded members that the executive system was now two years old and the cabinet was operating as a collective as agreed until it was fully bedded in. There was no intention that individual decisions would be taken although he had sometimes been obliged to take urgent decisions at short notice.

Councillor Dean reminded the meeting that he had made a proposal. The Vice-Chairman ruled that the motion was procedural and did not therefore constitute a proposal.

The original motion was therefore put to the vote and was declared carried by 17 votes to nine against.

RESOLVED that the allowances set out in the following table be applied in 2014/15:

Type of allowance	Scheme of member allowances to apply in 2014/15
Basic allowance	£5,000 (no change)
Chairman of the Council	£4,000 (no change)
Vice-Chairman of the Council	£2,000 (no change)

Leader of the Council	£10,750 (215% of basic allowance, increased from 175%)
Leader's group leader allowance	£1,500 (30% of basic allowance, decreased from 60%)
Deputy Leader	£6,500 (130% of basic allowance, increased from 105%)
Members of the Executive	£6,000 (120% of basic allowance, increased from 95%)
Chairmen of Overview and Scrutiny Committees	£3,500 (no change)
Chairman of Planning Committee	£3,750 (no change)
Members of Planning Committee	£462 (no change)
Chairman of Licensing and Environmental Health Committee	£3,750 (no change)
Chairman of Standards Committee	£2,000 (no change)
Chairmen of Area Forums	£1,000 (20% of basic allowance, decreased from 25%)
Group leaders	Leader of the majority group @ 30% of basic allowance (see box above); leader of the largest opposition group @ 25% of basic allowance (£1,250); other opposition group leaders @ 15% of basic allowance (£750) (no change in the allowances paid to any of the opposition group leaders)
Independent members of the Standards Committee	£500 benchmarked against the payment made to members of the Independent Remuneration Panel (no change)
Multiple payment of Special Responsibility Allowances (SRA)	Only one SRA is payable to a member at any one time (the higher of the two or more to which a member is entitled) but group leaders remain entitled to receive a maximum of one additional SRA (no change)

Carer's allowance	Actual cost of engaging a carer up to a maximum of £15 per hour (increased from £10 per hour)
All other elements of the scheme including travel and subsistence, and application of the Local Government Pension Scheme to remain unchanged	No change from the current year

The Vice-Chairman thanked members of the Panel for the work they had undertaken and for presenting the report so clearly.

C47

## **REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

The Leader reminded members about the Government's proposal to top slice New Homes Bonus by up to one third to create a £2m fund for local enterprise partnerships. The Council had responded robustly to this proposal and the Greater Cambridge LEP had also responded in a critical fashion, on the basis that it would have a profound effect on local government finances. At the same time the Government intended to phase out central government grants and replace the lost funding with New Homes Bonus and increased income from non-domestic business rates.

In his Autumn statement, the Chancellor had announced that the top slicing proposal had been abandoned. The Leader read an extract from a letter he had received from the Secretary of State confirming this intention. However, there was a sting in the tail as it appeared the Government now intended to disallow NHB where planning consent had been refused and subsequently allowed on appeal. The effect of this proposal would be a loss of control over s106 agreements and other locally negotiated planning gains as well as the loss of NHB grant money.

No other cuts in local government grant monies had been published in the statement other than those for which provision had already been made in the Medium Term Financial Strategy. Details of the settlement for 2014/15 were expected to be announced on or around 17 December.

The Leader said that he was sorry to report that John Vernon, who had acted as Chief Executive of the District Council from 1973 until 1990, had passed away on 30 September.

He informed members that the Chairman, Councillor Eric Hicks, had been unwell and had undergone a spell in hospital. Members would wish to send their best wishes for a speedy recovery.

Councillor Walters presented his report as the executive member for community safety. He updated members in particular on the emergency planning response to the recent St Jude's storm, to the role and performance of the Local Highway Panel, and the work of the highway rangers' team.

The rangers had proved highly successful operating on a low cost budget and the team had now dealt with in the region of 500 jobs.

The Deputy Leader reminded members of the expected publication of the Davies Commission report on 17 December. A workshop had been arranged at 2pm on Monday 20 January to which parish councils were invited and Ann Mahoney of SASIG would be in attendance as the guest speaker.

C48

## **MEMBERS' QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRMEN**

Councillor Mackman thanked Councillor Walters for his report and asked him to consider increasing the highway rangers' budget. Councillor Walters confirmed this had been under consideration but felt the rangers worked best as a small team. The service would be kept under review.

Councillor Evans asked about the apparent blockage of highway schemes at County Hall and whether this could be resolved. Councillor Walters said that the portfolio holder at Essex was aware of the position and was trying to improve it. The go ahead had now been given for two further schemes.

She then expressed strong concerns about a recent letter sent to businesses in Stansted asking them to remove 'A' boards and illuminated signs or face the prospect of a £2,500 fine. The letter has been brusque and had caused great alarm to local businesses struggling to survive. The Council purported to support local businesses and needed to demonstrate that during the busy Christmas trading period.

Councillor Rich said that he wished to echo these sentiments. Many small businesses in Stansted were slowly getting on their feet and regarded 'A' boards as a vital aid to their survival. Businesses elsewhere in Uttlesford had not experienced the same level of scrutiny. If prosecutions were being threatened this should be done on a district wide basis. He asked if this matter had been considered by the Cabinet.

In responding to these concerns, Councillor Rolfe confirmed that there had been no change in enforcement policy. There was now more capacity in the enforcement team and this, allied with concerns raised by some members of the public, had prompted the letters to be sent. Public protection must be balanced against the need not to harm small businesses. The Council was pro-business and no further action would be taken in the pre-Christmas period.

Councillor Watson asked why the tender price for the development at Mead Court had risen by £500k.

The Assistant Chief Executive Legal advised that this matter had been dealt with at Cabinet as an exempt information item and should not be discussed in public. A written answer could be supplied in this case.

Councillor Redfern said that in her estimation Mead Court would prove to be a fantastic development and a great asset to Stansted.

Councillor Rose asked Councillor Walters to pass on his admiration for the job being carried out by the highway rangers' team. In relation to a previous question about 'A' boards, he raised the subject of an advertising sign located at a roundabout near Newport where the cost of maintaining the roundabout had been met by the advertising company. An objection had now been raised resulting in the removal of the sign and a decline in the appearance of the roundabout.

Councillor Rolfe confirmed that advertising signs could be placed on private land with the owner's consent.

Councillor Walters then confirmed to the Vice-Chairman that the loss of money allocated for stalled highway projects would be taken up with the portfolio holder at Essex County Council.

C49

## **MATTERS RECEIVED FROM THE EXECUTIVE**

### **(a) 2014/15 Local Council Tax Support and Council Tax Discounts**

Councillor Chambers presented the recommendations of the Cabinet for the approval of changes to Council Tax discounts and to the Local Council Tax Support scheme to be applied in 2014/15. A process of consultation had been carried out and the outcome was to reaffirm the proposals as set out in the report.

He noted that a petition had now been received as presented to him earlier in the meeting by Mr Everett. The wording of the petition called upon the Council to vote against what was termed the heartless proposal to increase the amount to be paid by those affected from 8.5% to 12.5%.

The fact was that the coalition Government had cut funding in this area so that the shortfall had to be met by all Council Tax payers, or by general budget cuts. The outcome was that some low income households would be asked to pay a little more Council Tax. This would affect only non-vulnerable working age people and not pensioners or vulnerable working age people, including those who were disabled, who would continue to be protected.

The Council would continue to operate an exceptional hardship fund and had written to all those affected by the proposed increase offering assistance. The scheme operated by Uttlesford was the most generous in Essex as payments elsewhere ranged from 15% to 30%. It had been concluded that the best way to introduce the scheme was to phase it in and to deal with individual hardship cases as they arose. Some 1300 households were affected by the changes and this would now result in an extra payment of 90p per week.

Owners of second homes and empty homes would have their entitlement to discounts reduced. The policy as laid out represented a fair balance to ensure a manageable scheme and ensure a reasonable impact on household finances.

He then proposed the recommendation and this was duly seconded by Councillor Rich.

Councillor Watson asked for consideration to be given to people inheriting a second home still in probate as it was not possible to pre-budget for the costs incurred in these circumstances.

Councillor Chambers said that he understood Councillor Watson's concerns and that each case of hardship would be considered on its merits. The hardship fund could be used where there was sufficient justification.

The Assistant Chief Executive – Finance advised members that the loss of discount did not apply where the property was still in probate. All Council Tax exemptions and discounts were published on the website and in the leaflet accompanying each bill. Help would continue to be offered in appropriate cases.

Councillor Mackman said that he was pleased that the scheme was being phased in. He proposed an amendment to reduce the liability cap from 12.5% to 10%. This was seconded by Councillor Knight.

The Leader commented that he could not support such a proposal without first knowing the financial implications. The figure of 12.5% had been arrived at after a great deal of preparatory work and this would be jeopardised by an off the hoof proposal of this nature.

The Assistant Chief Executive – Finance clarified that the additional yearly cost of changing the liability cap as proposed was £35k.

Councillor Rolfe endorsed the original proposal in the light of the £300k challenge to the Council's finances. If extra money was committed to the LCTS it would have to be found from another budget. Other speakers were not making a fair comparison as the majority of councils had set the liability cap at 20% or 25%.

The amendment was put to the vote and declared lost by 9 votes in favour to 23 against.

Councillor Chambers agreed with a suggestion from Councillor Rose that efforts should be made to explain the complexity of the LCTS to pensioners through the media of press releases and personal contact.

Councillor Morson asked a series of questions about figures published in the report, including the cost of the support being offered. He then said that Councillor Chambers had said two years ago that he would look at using savings from second and empty homes to assist benefit claimants and asked whether this was still the case.

Councillor Chambers confirmed that the liability cap would have to be raised over a period of time as the Council would be unable to afford the level of protection so far offered. This would be done gradually by phasing in higher payments and this would help the most vulnerable. He could not say now how long this process would take but the time taken to phase in the scheme would be over a longer period than that offered by most other councils. If necessary the hardship fund would be increased.



Councillor Morson said the sum available from the changes to payments for second and empty homes was £480k. Councillor Chambers confirmed that some of this money had been committed to support the liability cap.

Councillor Parr said that more people had signed the petition than had responded to the consultation. She had been in the unfortunate position of being a benefit claimant four years ago and could confirm that 90p per week was a significant sum for many people. She was outraged that councillors had voted to increase their pay and to do so on the same evening was offensive.

Councillor Chambers said that the level of allowances was determined on a free vote and it was a matter for members how they voted.

The Leader said that he did not accept the petition strapline that the liability cap decision was heartless. A great deal of time and effort had been given to helping those most affected by the increase. The Council had featured on the BBC political show as an example of good practice in this area. This was illustrated by the efforts of Uttlesford staff in explaining the changes made to those people most affected.

Vulnerable people had been protected and town and parish councils, through the precept, had been shielded from the financial effects of the change in legislation.

The policy being pursued struck a balance that was fair and reasonable to all. Keeping the Council Tax low was the most effective way of helping everyone. Doing otherwise would harm those just above the liability cap limit. As a result, low income households were better off in Uttlesford and the Council was being held up as a model to follow.

Councillor Dean said he felt betrayed by the policy put forward. The Council should not put up charges for vulnerable people but should hold or reduce them. He asked for a recorded vote to be taken.

Councillor Howell said that he took exception to accusations of heartlessness. The Council was a model in this respect as the 8.5% charge levied last year was at the bottom of the scale of charges imposed by other councils. He went on to list twelve Liberal Democrat run councils levying higher liability cap changes for council tax.

These were not easy decisions but he did take exception to those who had drawn a comparison with the vote on members' allowances as he had voted for a freeze on his allowance. He commended the Council for voting to protect vulnerable people through application of the hardship fund.

Councillor Foley said that the petition presented at the meeting had been signed by people from all parties. The vote to increase allowances sent a bad message to the public.

Councillor Redfern said that in her role as the executive member for housing she recognised the efforts made by the Council to do everything possible to help

those in need. The petition organiser she had seen had misrepresented the Council's position in protecting the most vulnerable by confining the extra payment to non-vulnerable people of working age.

A recorded vote was then taken and the voting was as follows:

For the substantive motion: Councillors Artus, Asker, G Barker, S Barker, Chambers, Cheetham, Davey, Davies, Eastham, Eden, Felton, Freeman, Godwin, Harris, Howell, Jones, A Ketteridge, J Ketteridge, Menell, Oliver, Perry, Ranger, Redfern, Rich, Rolfe, Rose, Smith, Walters, Watson and Wells

Against the motion: Councillors Dean, Evans, Foley, Mackman, Morson, Parr and Parry

Abstained: Councillor Knight

The motion was passed by 30 votes for to seven against with one abstention.

RESOLVED to approve the following changes to Council Tax discounts and the Local Council Tax Support scheme in 2014/15:

- a) Withdrawal of the 10% discount for second homes
- b) Reduce the empty homes class A (major repairs) discount from 100% for up to 12 months to 50% for up to 12 months
- c) Reduce the empty homes class C (vacant dwellings) discount from 100% for up to 6 months to 50% for up to 6 months
- d) Introduce an empty homes premium of 50% for dwellings unfurnished and empty for more than 2 years
- e) Change the liability cap so that non-vulnerable working age people previously on full Council Tax Benefit shall pay 12.5% of the Council Tax bill (an increase from the present 8.5% figure)
- f) To continue the other elements of the Uttlesford LCTS scheme without changes as summarised in paragraph 9 of the accompanying report
- g) Provide discretionary funding support to major preceptors on the basis of the principles set out in paragraph 41 of the accompanying report, excluding the Police element for the reasons as set out in paragraphs 13 and 14 of the report
- h) Provide discretionary funding support to town and parish councils on the basis of the principles set out in paragraph 52 of the accompanying report
- i) Endorse the continuation of the six week occupancy period applicable before further unoccupied property discounts can be granted
- j) Delegate authority to the Assistant Chief Executive – Finance to implement the revised discounts and LCTS scheme and to make minor administrative changes as may be required

Councillor Eden presented the recommendation of the Standards Committee on a proposed protocol for the call-in of planning applications. He said that the present position was that informal guidance was issued periodically to members on the procedure to be followed in calling-in an application. Following the investigation by the Standards Committee of a complaint on the call-in of a particular application, it had been felt that the position should be formalised by the adoption of an agreed protocol.

He proposed adoption of the protocol as recommended and it was seconded by Councillor Mackman.

Councillors Dean expressed concern about the deadline for call-ins to be made. The Chief Executive told him that the deadline was set out in paragraph 2.3.2 and that could not be extended. However, any member attempting to do so would not be in breach of the Code of Conduct as a result. He stressed that a valid planning reason must be given to justify a call-in.

Councillor Rich said that he did not agree with the wording in paragraph 3.1 giving the Assistant Director – Planning and Building Control the power to reject a call-in request if he was not satisfied with the reasons given. He asked for there to be a mechanism for the officer's decision to be challenged. He then proposed an amendment to the motion to delete paragraph 3.1. He also agreed to a suggestion made by the Vice-Chairman that his amendment should incorporate deletion of the first sentence of paragraph 3.2 stating that applications should not be called-in because they were controversial.

In commenting on the points made by members, Councillor Cheetham said that a valid planning reason must be given when seeking a call-in. Her comment was endorsed by the Leader.

After taking advice from officers, the Vice-Chairman proposed that the matter should be deferred to allow for further consideration of the protocol by the Standards Committee and it was agreed accordingly. In the meantime, members were encouraged to send their comments on the proposed content of the protocol to the Assistant Chief Executive – Legal.

RESOLVED that the recommended protocol on the call-in of planning applications be referred back to the Standards Committee for fresh consideration

C51

## **MOTION – UTTLESFORD LOCAL PLAN**

Councillor Parr presented and proposed the following motion:

### **UTTLESFORD'S LOCAL PLAN**

The council

1. notes continuing and growing public concern expressed in the local press and directly to members about the way in which the council is preparing the district's Local Plan;
2. notes the formation of Uttlesford United Residents and resolves to consider

seriously its messages to the council;

3. notes the challenge at the planning committee on November 20<sup>th</sup> by a Queen's Counsel over the conduct of a planning application for 800 homes at Elsenham/Henham;

4. is concerned that the basis of the current consultation agreed by the cabinet to increase housing numbers and to locate these may be subject to challenge because the related consultation has excluded comment from the public on proposals in the extant draft Local Plan;

5. resolves to set up an inquiry involving independent persons and external parties into the formulation and determination of the Local Plan and related matters; membership to be agreed on an all party basis;

6. requires the results of the inquiry to be reported by March 2014.

She said the motion had been brought forward not as a political stunt but to encourage full debate and to place the concerns of local residents at the forefront of the Local Plan process.

The present uncertainty was proving damaging and giving the impression of a Council riding roughshod over the concerns of local people. Accordingly, she felt that no-one could dispute the wording in paragraph 1 of the motion.

Opposition to the Fairfield proposal for development in Henham and Elsenham lay at the heart of the problem as the communities in those villages had been asked to bear the brunt of the extra housing provision.

She urged the Council to support the motion to enable an independent examination of the process to take place on a bi-partisan basis. This would give the administration the opportunity to prove the doubters wrong.

Councillor Morson seconded the motion. He said that the emerging Local Plan was based on the location of 2,100 houses in Elsenham and Henham. Nevertheless, the Planning Committee had, on 2 October and 20 November, voted to reject a proposal for 800 houses on that site. On the basis of those decisions, he questioned how it was possible for a plan for 2,100 houses to proceed.

He then recounted the history of the original decision to adopt option 4. Councillor S Barker had stated that option 4 was her choice and was not a planning decision. The decision was made at a meeting on 7 September 2007. It had not been mentioned at an earlier meeting on 26 August. Opposition members had been informed about the choice of option 4 only 30 minutes before the meeting began.

Officers did not recommend option 4 and it never had their support. Neither was it supported by empirical evidence. He asked the administration to justify a decision taken in this way.

Councillor Morson then referred back to the proposal for an eco-town that was to have been promoted by Fairfield. The Administration had opposed this proposal but then renewed their support for option 4 after it was withdrawn. This had contributed to the bad feeling towards the Council in the south of the district and

had prevented a more consensual approach. There had been no opportunity to develop a wider strategy. Instead, the Elsenham/Henham proposal was now subject to a further round of consultation. Having rejected plans for 800 houses on this site, why was the Administration now building it into the draft plan? It was a discredited option and the policy being pursued was also discredited.

Councillor Ranger said that 44 councillors had been elected in May 2011 to guide the Council's policy for a four year term. One section of councillors had decided to withdraw from the process and as a result had disenfranchised a section of the electorate.

In calling on the Council to enlist independent persons the promoters of the motion were turning democracy on its head. It was the job of the councillors who had been democratically elected to undertake the evaluation of the Local Plan.

Councillor Harris spoke as a member of the Scrutiny Committee. She said that she had recently attended a meeting of that Committee in an independent capacity in response to the call-in of the consultation on housing numbers and the additional sites. At that meeting members of the public and other councillors had been given the discretion to speak. There had been a frank exchange of views and ample opportunity afforded to influence the terms of the debate. The outcome had been that the motion to refer the matter to Council for decision had been voted down.

The terms of the motion effectively sought to have the same effect through the back door and this would lead to a paralysis in decision making and render redundant the role of the Scrutiny Committee in scrutinising decisions.

The Liberal Democrats had already tried and failed to have the decision taken by the Cabinet referred back and that decision had now taken effect. The motion now being debated was an attempt to disrupt decision making by overturning the outcome of the cross party debate by the Scrutiny Committee. The consultation should now be allowed to take place.

Councillor Watson said that he was disappointed the Liberal Democrats had taken so long to form an opinion. Until now he had opposed the Local Plan on his own and was pleased the Liberal Democrats had decided to join him. He called on them to now re-engage with the Local Plan process.

The fact was that the public was not in favour of the proposed housing allocations. Objections had been ignored but the Council must take seriously the views espoused by the We Are Residents group. As for point 3 of the motion, it would be foolish to ignore legal challenges. On point 4, challenges would be made through the planning inquiry process and these must be faced.

Regarding points 5 and 6 of the motion he had no strong views but the Council could not continue on its present course and must offer concessions. He could not support the motion because of the emphasis placed on Henham and Elsenham and he would abstain.

Councillor Evans said that inclusiveness should be at the top of the Council's agenda but this was not happening. The Council was instead conducting an exclusive process. Through the Local Plan Working Group the plan was being discussed in the daytime and meetings were not open to the public. Meetings held in other nearby authority areas were held at more suitable times.

She was a member of the Scrutiny Committee but had been unable to attend on 11 November. Councillor Morson had proposed that the consultation be referred back to Full Council so that it could be debated by all councillors but this had been rejected by five votes to three with one abstention.

Groups of residents were speaking out and were dissatisfied with the way the Council had chosen to conduct the consultation process. The process, including the consultation over Christmas was a sham and an insult to residents who deserved better.

Councillor Knight said that she had felt a bit player in a remake of Yes Minister. She was unhappy with the process that had been followed but was concerned about the undue concentration on Elsenham and Henham. She felt she had a right to express an opinion but had been bullied and harassed in a way that had brought the Tory Party into disrepute.

She conceded that housing development was needed but the dispersal strategy was wrong and must be re-addressed. Instead, a single settlement site should be chosen and there was still sufficient time to deal with it. There was an urgent need for all to work together in a spirit of compromise.

Councillor Mackman said that he supported elements of the proposal, especially parts 1-4. On points 5 and 6 he asked for amendments to be made. He had been accused of disloyalty but there were serious problems with the current plan. He would support the motion but it might help if amendments could be agreed.

Councillor Rose said it was a shame the supporters of the motion had not considered other wards in their comments. He had attended many meetings of the Local Plan Working Group and represented the interests of Newport residents many of whom had said that they would welcome the provision of additional housing.

In contrast, the Liberal Democrats had not attended the Working Group and this was disrespectful to their residents. He wanted to give the offspring of local residents the opportunity to live and to work in the area without having to consider moving out.

Any delay in the process would act as a drag on growing the local economy. There was a need for the right number of houses to be provided now. The balance in Newport was now correct and reflected its status as a village and not a town.

Councillor Howell said that the debate had strayed from the motion. It was important to continue to debate these matters and he took them seriously. However, he could not support the motion proposed by Councillor Parr. In his

own ward of The Sampfords not a single resident had ever approached him about the Local Plan, even though strong views had been expressed about a local licensing application.

This had to be placed in context as some wards were affected more than others. Members should not be worried about challenge by eminent lawyers as their job was to make a case often in black and white terms. What was needed was a combination of clear analysis and leadership.

Councillor Dean referred to a recent letter from Jen Beaton questioning the figure of 1600 families on the housing waiting list. The report to the meeting on 11 March then said that 2,500 extra homes were needed. This was an illusion and was an attempt to manipulate the figures. He referred to previous LDF projections about what lay behind the housing numbers. The number of 338 houses per year was an arbitrary choice and it had been a folly to cut the housing target.

The administration had tried to cut three years off the plan to hide the true number but the public had not been fooled. The Cabinet had finally accepted the need to take account of the migration figures into the district and the result was the re-introduction of option 4.

The Council must move forward in a better way by listening to peoples' views. He urged the administration to pause before it was too late.

Councillor Rolfe said members must consider basic facts. The Council must build 10,000 houses over twenty years. The SHLAA process had shaped the debate about the availability of sites. The plan for a five year land supply provided added security. He reminded members that community benefits were likely to be lost when planning refusals were overturned on appeal, and that NHB money would be lost.

He re-affirmed that he was proud of the process followed and the consultation. The theme adopted was to build as few houses as possible whilst recognising the need for the provision of sufficient affordable housing. A number had originally been imposed on the district then a lower number was selected but the position had now again changed. When a single settlement was proposed before there was a call for dispersal to be considered. The present plan had made provision for a bit of both.

The key point was to make sure that the area was protected. No coherent alternative had yet been offered only a further delay in the process. WAR had not supported a single settlement at Great Chesterford and UUR did not want a single site development at Elsenham. As no alternative plan existed, the logic was to come back to come back to roughly what was being proposed now. He would oppose the motion.

Councillor Redfern said that Councillor Dean had referred to a letter sent by a spokesman from WAR. This stated the waiting list did not include 1,600 families. What he was saying was that people below band D on the list did not count but

all of those people had the right to be considered for accommodation and not to be written off. All of those people needed and deserved help.

Councillor Godwin said that she had been the only non-Conservative councillor to attend Local Plan meetings on a regular basis. By being absent, the Liberal Democrats had missed out and the plan had been skewed as a result. The plan approved for consultation was not perfect but neither was the motion. All protagonists should get round the table and get on with it.

Councillor Cheetham said the Council had consulted more than ever before, including hosting events at village halls, community forums and sending letters to everyone. The existing plan was out of date. The national framework came into play as well as the need to provide for a five year land supply. It was important that the Council remained in the driving seat and did not have housing numbers imposed from elsewhere. She would vote against the motion.

The Leader then summarised the debate from his perspective. He referred to several inaccuracies introduced by some members. The Local Plan was well documented, had been set out according to a chronological timetable and was strongly evidence based. The annual housing number of 430 had been provided by consultants and was soundly based. The UUR spokesman had been present at the Scrutiny Committee meeting and had sent a letter to the Planning Committee meeting supporting the Elsenham application.

Councillor Knight had made reference to “sinister terms”. However, there had been no obstacle to anyone wishing to have input into the local plan preparation. He had increased the size of the Local Plan Working Group from six to twelve members and had invited all members to attend meetings but Councillor Knight had not attended.

He acknowledged that the housing numbers had changed. He had believed that the numbers were in our hands when targets were abandoned but that had not transpired. The SNPP projections had now been used instead. He would not support the motion and urged councillors to get on with the job of producing a new Local Plan.

Councillor Parr concluded the debate as proposer of the motion. She agreed that councillors had been elected to take decisions but the proceedings of the Local Plan Working Group had been undemocratic and had disenfranchised many people. She had mentioned the settlements of Newport and Dunmow in the debate but this may not have been clear. She supported the provision of affordable homes but the proposal at Elsenham and Henham was an example of where the plan had gone wrong. An independent body was needed to look at the plan and this need not take more than three months so would not lead to undue delay. She asked members to support the motion and asked for a recorded vote to be taken.

Result of the recorded vote:

For the motion: Councillors Dean, Evans, Foley, Mackman, Morson, Parr and Parry



Against the motion: Councillors Artus, G Barker, S Barker, Chambers, Cheetham, Davey, Davies, Eastham, Eden, Felton, Freeman, Harris, Howell, Jones, A Ketteridge, J Ketteridge, Menell, Oliver, Ranger, Redfern, Rich, Rolfe, Rose, Smith, Walters and Wells

Abstained: Councillors Asker, Godwin, Knight, Perry and Watson

The motion was declared lost by 26 votes to 7 with five abstentions.

At the conclusion of the meeting, the Vice-Chairman extended Christmas and New Year greetings to all members and officers.

The meeting ended at 10.25pm.

## APPENDIX

### STATEMENT BY MR M EVERETT

"I would like to present this petition to the Council, signed by over 300 Uttlesford residents objecting to the Council's proposal to increase the amount of Council tax paid by people on benefits from 8.5% to 12.5%.

Figures published earlier this year revealed that 1582 children in Uttlesford are living below the poverty line.

Research by the Institute of Fiscal Studies predicts that child poverty will continue to increase over the next 7 years – with the result that some wards will see up to 20% of children living in poverty.

The majority of families which experience poverty are low-income working families, who have experienced a pay cut of 6% in real terms over the last five years, while fuel bills and rents have increased remorselessly.

Reductions in benefits and benefit caps have contributed to the squeeze on their already low incomes. Last year, the Council charged people in this group, council tax for the first time. This year the Council proposes to increase the amount of council tax that they will be required to pay.

This is not just about official statistics, however, it is a proposal that will have a real impact on the lives of people who are just above the official poverty level. The councils own statistics reveal that it will take money from 1321 adults and 1591 children – nearly 3,000 people.

I would just like to briefly touch on the Council's consultation process, which involved 256 people and shows 58% in favour of the increase, while 42% objected. There were further objections submitted on postcards, many of which appear to have gone missing – which suggests that the numbers are fairly evenly divided. This petition, from 300 Uttlesford residents tips that balance against the increase.

After debate in the local press, the District Council set up its own working group to tackle the problem of child poverty – and yet the Council is taking a step to put further pressure on already over-stretched family budgets forcing people further into poverty. I urge the council to reject this tax increase."