



# Uttlesford District Council

Chief Executive: Dawn French

## Council

**Date:** Tuesday, 17 May 2016  
**Time:** 19:30  
**Venue:** Council Chamber  
**Address:** Council Offices, London Road, Saffron Walden, CB11 4ER

**Members:** All Members of the Council

### Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given notice by 12 noon two working days before the meeting.

## AGENDA PART 1

### Open to Public and Press

- 1 Election of Chairman**  
Councillor J Davey has already been nominated for this post under Article 5.1.2
- 2 Chairman's Statutory Declaration of Acceptance of office**  
The Chairman to make the Statutory Acceptance of Office
- 3 Appointment of Vice- Chairman**  
Councillor G Sell has already been nominated for this post under Article 5.1.2
- 4 Vice-Chairman's Statutory Declaration of Office**  
The Vice- Chairman to make the statutory declaration of Office

- 5 Apologies for absence and declarations of interest**  
To receive any apologies for absence and declarations of interest.
- 6 Minutes of previous meeting** 5 - 8  
To receive the minutes of the meeting held on 12 April 2016
- 7 Matters Arising**  
To consider matters arising from the minutes
- 8 Chairman's announcements**  
To receive any announcements from the Chairman
- 9 Leader's announcements**  
To receive the Leader's announcements
- 10 Review of political balance** 9 - 12  
To review the political balance of the council
- 11 Appointments of committees 2016 -17** 13 - 14  
To appoint the Council's committees for 2016/17
- 12 Appointment of Working Groups 2016-17** 15 - 16  
To appoint the council's working groups for 2016/17
- 13 Essex Police and Crime Panel**  
To appoint a member to the Essex Police and Crime Panel
- 14 Reports from the Leader and members of the Executive**  
To receive matters of report from the Leader and members of the Executive
- 15 Annual reports from the Scrutiny and Performance & Audit Committees**  
To receive the annual reports

- 16 Members' questions to the Leader, members of the Executive and chairmen of committees (up to 15 Minutes)**  
To receive members questions
  
- 17 Matters received about joint arrangements and external organisations**  
Matters concerning joint arrangements and external organisations
  
- 18 Matters received from committees and working groups (standing item)**  
To consider any matters referred from committees and working groups
  
- 19 Any other items which the Chairman considers to be urgent**  
To consider any items which the Chairman considers to be urgent.

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The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

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Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

Fax: 01799 510550

Email: [uconnect@uttlesford.gov.uk](mailto:uconnect@uttlesford.gov.uk)

Website: [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk)

**COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 12 APRIL 2016 at 7.30pm**

Present: Councillor S Harris – Chairman.  
Councillors A Anjum, K Artus, G Barker, S Barker, R Chambers, J Davey, P Davies, P Fairhurst, T Farthing, M Felton, M Foley, J Freeman, R Freeman, T Goddard, N Hargreaves, E Hicks, S Howell, D Jones, T Knight, B Light, J Lodge, J Loughlin, A Mills, S Morris, E Oliver, V Ranger, J Redfern, H Rolfe, G Sell and L Wells.

Officers in attendance: D French (Chief Executive) M Cox (Democratic Services Officer), C Oliva (Solicitor) and A Webb (Director of Finance and Corporate Services).

**C78 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Asker, Dean, Gleeson, Gordon, Lemon, Parr, Parry, and Ryles.

Councillors Anjum, Fairhurst, R Freeman and Morris each declared their membership of Saffron Walden Town Council.

**C79 MINUTES OF PREVIOUS MEETINGS**

The Minutes of the meeting on 25 February 2016 and the extraordinary meeting on 21 March 2016 were received and signed as a correct record subject to an amendment to minute CM71 (25 February) for Councillor Hargreaves' comments to read 'Councillor Hargreaves asked why no specific sum had been earmarked to cover the **costs** associated with the Local Plan as listed in the risks section of the Robustness of Estimates report'. Councillor Hargreaves said the Director of Finance and Corporate Services had replied to this statement but this had not been included in the minutes.

**C80 MATTERS ARISING**

**(i) Minute C66 (iii) Motion on Local Police Service**

Councillor S Barker reported that ten PCSOs had been appointed for Braintree and Uttlesford, and a further two would be fully funded by UDC. Four of them would be based in Great Dunmow, moving to the Lodge at the council offices, Saffron Walden when it was opened.

**C81 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported on her attendance at recent civic events. She had attended a number of civic dinners, the opening of the new museum store and the declaration ceremony for the new High Sherriff as well as a tour of the Houses of Parliament with Sir Alan Haselhurst MP.

## **C82      REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

The Leader said the Police would shortly be moving into the Lodge at the London Road Offices and the Police front desk was now open in the UDC reception area.

He reported progress with work on the Local Plan. The meeting of the Planning Policy Working Group on 23 March had considered the consultants' report on the Green Belt study, which had been recommended that it should largely be left in place. The group had supported the Great Dunmow Neighbourhood Plan and was encouraging other parish councils to develop their own plans. The meeting had also considered the second report of representations to the Issues and Options consultation. He said it might be necessary to arrange an additional Council meeting in June to agree the preferred development strategy.

The Chief Executive had given a useful presentation on the current situation regarding the devolution proposal prior to this meeting. He would be pleased to answer any member questions on this issue.

The Leader would be meeting with the Andrew Cowan, the new Chief Executive at Stansted Airport on 19th April.

The Leader reported on his attendance at a recent meeting of the West Essex Leaders and Chief Executives group. The group had considered how it could work better with the businesses community in West Essex and its relationship with the development of the London/Cambridge/ Stansted corridor. He said it was important that Uttlesford did not become a dormitory for this activity, but there was a balance to be struck between economic growth and maintaining the special character of the district.

The meeting also discussed Health and Wellbeing. This was now a priority in Uttlesford's corporate plan and engrained in the council's objectives. It was generally recognised that there were three key aspects: keeping people out of hospital (lifestyle, leisure, public health), the hospital itself and the post hospital activities eg social care. He said the first and third parts were certainly within the council's domain and were areas where it could make a difference.

## **C83      LOCAL STRATEGIC PARTNERSHIP – HEALTH AND WELLBEING GROUP**

Peter Fentem spoke about the work of the Health and Wellbeing LSP group. He introduced Sue Locke, the Senior Health Improvement Officer.

He said the group brought together service providers and persons from organisations in receipt of these services. It had been a difficult time with changes in the health service and social care and the new commissioning procedures by ECC. The group aimed to ensure that public, statutory bodies and voluntary groups were aware and understood these changes. He listed the group's many achievements over the last year, working in a number of different areas.

He said that health and wellbeing was now a higher priority within the council's agenda and explained how the group sat within the new arrangements, although he said there was no single point where the pieces of work were currently being examined. He explained areas where the group could make improvements and set out the future objectives of the group.

Councillor Knight made a comment about dementia care. In reply, Mr Fentem said that the new contract had shifted care from Uttlesford to a new organisation in Hertfordshire, and it was important to monitor the level of service provided.

The Chairman thanked Mr Fentem for his presentation.

**C84 MEMBERS' QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND CHAIRMEN OF COMMITTEES**

Councillor Foley said a number of councils had made public their concerns about the economic implications of leaving the European Union. There had also been a letter to the Times signed by 60 council leaders. He asked whether the Administration was considering making its views known.

The Leader said he had already declared that he would vote to stay in, but felt it was not the role of the Leader or the Cabinet to speak on behalf of council members. It would be up to the Council, if it wished to debate this matter and take a view. He said this was a very important issue, which would be widely discussed in the next couple of months but as far as he was concerned it was an individual decision.

Councillor Sell asked about the process for considering material/non-material amendments to planning applications. This followed concern about a recent application at Castle Maltings, Stansted for alterations to the windows, which had been approved by officers without consultation with ward members. Due to local concern, this application had been considered by the planning committee but by then the decision was retrospective. He asked for clarity on how these applications were dealt with. It was agreed to send a written response, which would be circulated to all councillors.

**C85 MATTERS REFERRED FROM COMMITTEES AND WORKING GROUPS**

**Community Engagement Group**

Councillor Ranger apologised that the new arrangements for community forums had not yet been discussed, but it had been difficult to arrange a suitable date for the meeting. He was now putting forward the date of Tuesday 28 June for a meeting of the Constitution Working Group to consider this issue and formulate the new arrangements for public consultation.

The Constitution Working Group would meet after the Annual Council meeting, when the committee appointments were made. He urged members who were committed to moving this forward to ask their group leaders to nominate them to the working group.

Councillor Knight said that as the area forums hadn't worked previously, the council should avoid trying to do the same thing again. She suggested holding seminars with specialist speakers that would be of real interest to the public.

Councillor Light said she shared the frustration, as she was a member of the Constitution Working Group and had been pushing for a meeting for nearly a year. She would like to remain as a member of the group but rather than focus on a particular approach, it should look at alternative ways of engaging with the public.

C86 **NOMINATIONS FOR THE POSITION OF CHAIRMAN AND VICE-CHARMAN OF THE COUNCIL**

Councillor Rolfe proposed and Councillor Jones seconded that Councillor Davey be nominated for election as Chairman of the Council for the ensuing year.

Councillor Barker proposed and Councillor Davey seconded that Councillor Sell 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.

The meeting ended at 8.40pm.



**Committee:** Annual Council

**Agenda Item**

**Date:** 17 May 2016

**10**

**Title:** Political Balance on the Council

**Author:** Maggie Cox –Democratic Services Officer Item for decision

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### Summary

- 1 This report considers the political composition of the Council and recommends that seats on the main committees be allocated to the three political groups as detailed in the report.

### Recommendation

That the Council reviews its political composition to achieve political balance and approves the allocation seats on its committees as detailed in the report.

### Financial Implications

None

### Background Papers

None

### Impact

Communication/Consultation	Political parties to consult within their groups to determine their views on the recommendation
Community Safety	n/a
Equalities	n/a
Health and Safety	n/a
Human Rights/Legal Implications	To comply with the Local Government and Housing Act 1989. In the event that members decide an allocation of seats which does not accord with the principles of political balance set out above this can only be achieved if no members attending the meeting dissent.
Sustainability	n/a
Ward-specific impacts	All
Workforce/Workplace	None

## Situation

- 2 The Local Government and Housing Act 1989 requires local authorities to review the representation of the different political groups at the Annual Meeting or as soon as practicable thereafter. It further requires them to allocate the seats on their committees to political groups represented in accordance, so far as reasonably practicable, with the following four principles of proportionality:-
- (a) that not all seats on the body concerned are allocated to the same political group;
  - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of an authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority;
  - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all seats on that body as is borne by the number of members of that group to the membership of the authority.

## Current Situation

- 3 The number of seats on ordinary committees of the Council (excluding Standards) are as follows:-

<b>Committee</b>	<b>No of seats</b>
Planning	10
Licensing and Environmental Health	10
Scrutiny	10
Performance and Audit	10
<b>Total</b>	<b>40</b>

- 4 The current political composition of the Council (excluding the single independent member who cannot be taken into account for political balance purposes) is as set out below:

<b>Group</b>	<b>Members</b>	<b>Percentage</b>
Conservative	23	60.53%
Residents for Uttlesford	9	23.68%
Liberal Democrats	6	15.79%
	<b>38 (of 39 members)</b>	<b>100%</b>

- 6 Based on the 40 seats, the number of seats available to each group is as follows

<b>Group</b>	<b>Percentage</b>	<b>Calculated seats</b>	<b>No. of seats</b>
Conservative	60.53%	24.21	24
Residents for Uttlesford	23.68%	9.47	10
Liberal Democrats	15.79%	6.32	6
	<b>100%</b>	<b>40</b>	<b>40</b>

### **Allocation of Seats – Committees**

#### **(i) Licensing Committee**

- 7 The Licensing Committee cannot be taken into account for the purposes of the calculation because it was not established under the Local Government Act 1972. However, it seems sensible to offer the ten places to be allocated on the same basis of proportionality, and the Licensing Committee has therefore been included in the calculation of the number of seats.

#### **(ii) Standards Committee**

- 8 The Localism Act 2011 set out changes to the standards regime. There is no longer a statutory power to appoint a Standards Committee and the standards functions are intended to be performed by Full Council. However it was agreed in 2012 that the Council would not be an appropriate forum for dealing with individual allegations of breaches of the Code of Conduct and a Standards Committee was appointed to undertake this function.
- 9 In the absence of a statutory power, a Standards Committee is required to be appointed under the provisions of the Local Government Act 1972 and is subject to the rules of political balance.
- 10 Since the Localism Act changes, the Standards Committee has had an equality of representation between all political groups. The Council's Constitution recognises that that the rules of political balance contained in the Local Government and Housing Act 1989 apply but acknowledges that a politically balanced Standards Committee would be undesirable. It provides that subject to no member present voting against the proposal each political group on the Council would have at least one member on the Standards Committee Article 9 of the Constitution provides for three nominations from each political group. The last council appointed a Standards Committee of 9 members and it is suggested that this continue for 2016/17.
- 11 If this committee was included within the calculations the result would be as set out on the next page:-

A total of 49 seats would be available and the number of seats allocated to each group would be:-

<b>Group</b>	<b>Percentage</b>	<b>Total Seats</b>
Conservative	60.53%	(29.66) 30
Residents for Uttlesford	23.68%	(11.60) 11
Liberal Democrats	15.79%	(7.74) 8

### **Proposal for allocation of seats**

- 12 Based on the principles outlined in paragraph 10, the allocation of the 49 seats (including the Standards and Licensing Committees) would be as follows:-

<b>Committees</b>	<b>Seats available</b>	<b>Conservative</b>	<b>Residents for Uttlesford</b>	<b>Liberal Democrats</b>
Planning	10	6	2/3*	1/2*
Licensing and Environmental Health	10	6	2/3*	1/2*
Scrutiny	10	6	2/3*	1/2*
Performance and Audit	10	6	2/3*	1/2*
Standards	9	3	3	3
	<b>49</b>	<b>27</b>	<b>13</b>	<b>9</b>

\* The precise allocation of seats is to be determined by Council. Following allocation the groups will nominate members to the seats allocated to their groups.

### **Risk Analysis**

There are no risks associated with this report.

Appointment of Committees 2016/17

<b>Committees</b>	<b>Conservative</b>	<b>R4U</b>	<b>Liberal Democrat</b>
Planning (10)	R Chambers J Davey (VC) E Hicks A Mills V Ranger (C) H Ryles	P Fairhurst R Freeman J Lodge	J Loughlin
Licensing and Environmental Health (10)	G Barker R Chambers (C) J Davey T Goddard (VC) J Gordon E Hicks	A Anjum S Morris J Parry	R Gleeson
Scrutiny (10)	G Barker (VC) P Davies M Felton R Chambers S Harris E Oliver	H Asker B Light	A Dean (C) G Sell
Performance and Audit (10)	G Barker J Freeman J Gordon D Jones (VC) S Harris E Oliver (C)	N Hargreaves B Light	M Foley E Parr
Standards (3 from each political group)	K Artus (VC) D Jones T Knight (C)	A Anjum H Asker N Hargreaves	J Loughlin A Dean G Sell



## Council Working Groups 2015/16

<b>Working groups</b>	<b>Conservative</b>	<b>R4U</b>	<b>Liberal Democrats</b>
Constitution Working Group (8)	R Chambers J Freeman S Harris E Oliver V Ranger (C)	B Light J Parry	A Dean
Local Joint Committee (3)	H Rolfe	S Morris	A Dean
Electoral Working Group (8)	J Davey T Farthing T Goddard S Howell (C) D Jones	A Anjum N Hargreaves	G Sell

