

**COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 26 JULY 2016 at 7.30pm**

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

Officers in attendance: D French (Chief Executive), R Harborough (Director of Public Services, M Perry (Assistant Chief Executive – Legal), P Snow (Democratic and Electoral Services Manager) and A Webb (Director of Finance and Corporate Services).

**C20 PUBLIC SPEAKING**

Mr A Bennett and Dr M Beer both spoke about the effect on the communities of Felsted, High Easter and Stebbing of the change of Stansted flightpath usage and the impact of night flying. They both asked the Council to make representations to the CAA and the Department for Transport. Their full statements are included in the appendix to these minutes.

Councillor S Barker responded as the executive member responsible for environmental services. She confirmed that the leader and Chief Executive had recently met with the Chief Executive of the Manchester Airport Group and they were happy to facilitate a meeting with NATS, CAA and residents to discuss the issues more fully. She would send a fuller response to both public speakers in due course.

Mrs J Cheetham made a statement as a member of Takeley Parish Council in relation to item 10 on the agenda, Local Plan Development Strategy. She said that a disproportionate amount of development had already taken place in the southern part of Uttlesford and there were concerns locally that there was no clear strategic plan for accompanying infrastructure. The preferred strategy being recommended for approval made provision for 200 houses to be located in key villages as well as for the development of new settlements. She said that Takeley had already taken 200 new dwellings. The Council should consider carefully where it would allocate the new round of housing to be located and ensure the necessary infrastructure was put in place. Existing village communities such as Takeley should not be swamped with more new housing as they would be unable to cope.

Councillor S Barker said that a letter would be sent asking all town and parish councils to indicate whether they would be able to accommodate new housing during the plan period. Communities such as Takeley, Thaxted and Elsenham had already taken their fair share and this should be taken into account when the Local Plan strategy was being agreed.

Mrs Cheetham asked a supplementary question about infrastructure. Councillor Barker said that some money had already been spent on The Street in Takeley. There was a recognised problem with lorry traffic and she hoped it might be possible to open up a through route via Coopers End. This subject would be raised in talks with Stansted Airport. She also raised the proposed provision of a new health centre in Great Dunmow but the Council could not make this happen without NHS co-operation.

Councillor Lodge commented that the PPWG was working rigorously to ensure the right infrastructure was in place. The previous administration, of which Mrs Cheetham had been a member, had misled the Planning Committee so in his view her remarks were hypocritical.

#### **C21 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Anjum, Goddard, Knight, Lemon, Loughlin and Ryles.

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

#### **C22 MINUTES OF PREVIOUS MEETINGS**

The Minutes of the meeting on 17 May 2016 were received, confirmed and signed as a correct record.

#### **C23 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reported on his attendance at a number of recent civic events. He also drew attention to forthcoming events and made special mention of the garden party at Easton Lodge to which he encouraged all members to attend.

#### **C24 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

The Leader said that the outcome of the recent referendum on EU membership would have undoubted repercussions for the economic climate and the Council's financial outlook. It was already apparent that the financial position was relatively bright for both this year and next but that the position would then become more challenging with a forecast £3¼m gap in funding to be faced.

Four strands had already been put in place to meet this challenge. He summarised these as maximising income, increasing funding from local taxpayers, and achieving both more operating efficiency and greater effectiveness.

He said that a successful workshop had taken place on the structure of the Local Plan and a further one was planned to consider site allocations on 7 September. There was a tight timetable to follow including a call for views from local councils for site allocations before the workshop, following which public meetings would take place in Saffron Walden, Great Dunmow and Stansted.

A letter would be sent to all parish councils seeking a response by 2 September and this would necessitate parishes arranging special meetings in many cases. Letters would be sent to all councillors asking them to indicate where they would like housing to be sited.

All of this activity would be followed by a special meeting to consider and decide upon the outcome.

The Council had a proud record of promoting rural exception sites. Twenty five years had now passed since the first such development in Ashdon. The provision of affordable housing was pivotal to the healthy survival of rural communities.

He commented on the devolution agenda which had been driven by the former Chancellor including a renewed drive for directly elected mayors. A meeting was planned with DCLG representatives to discuss the implications of a possible change of direction by the Government.

In concluding his remarks, the Leader referred to the executive decision he had taken to increase the maximum length of stay at The Common car park in Saffron Walden from two to three hours. He confirmed that the necessary order would be made and brought into effect as quickly as possible but, in the meantime, he gave a commitment not to enforce against anyone exceeding the existing two hour maximum stay period by one hour from 1 August onwards.

Councillor Howell then made a short statement about the unqualified approval of the 2015/16 accounts due to be reported to the Performance and Audit Committee on Thursday. The accounts had been given unqualified approval for the eighth successive year and value for money had been demonstrated over a period of six years.

Draft accounts had been submitted to the auditors on 9 June and then completed, ahead of time, on 21 July. This was a commendable achievement and he wished to congratulate Mr Webb and Mrs Knight and their team for their exceptional performance.

He reminded members about the outstanding response to consultation on New Homes Bonus. The outcome would have a significant impact on the Council's finances. Members would be briefed about all of these matters in the early Autumn.

## **C25 MEMBERS' QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND CHAIRMEN OF COMMITTEES**

Councillor R Freeman commented on the ingenious solution found to the problem of maximum stay parking at The Common and asked the leader to give a written response and commit to providing adequate signage confirming that anyone exceeding the two hour limit would not be prosecuted.

The Leader confirmed the proper process would be followed and he would provide a written response.

Councillor Foley asked for assurances the Council would make clear its position of opposition to any proposal to build a second runway at Stansted. Suggestions had appeared in the local press that MAG might be keen to resurrect this idea. He wanted the leader to support local communities against increased levels of aircraft noise, especially at night.

The Leader stated unequivocally the Council's opposition to a second runway. Councillor Barker had already dealt with the earlier question about new flight paths and night flying. A meeting would be taking place soon with MAG and NATs to attempt to iron out any continuing problems.

Uttlesford's location halfway between Cambridge and London brought significant challenges in terms of local infrastructure. He would be working hard to address local concerns about road and rail services. He expected that MAG would soon bring forward a proposal to increase passenger throughput from 35m to 42 or 44m and said there would be a price to pay in terms of infrastructure provision. In discussing these matters with MAG he would be raising the position of junction 8 and the £3 airport pick up charge.

Councillor Lodge asked for an assurance that the Leader had not made any contact with developers in connection with the land between Radwinter and Thaxted Roads in Saffron Walden.

The Leader confirmed it was his firm policy not to speak to any developer. He understood a further proposal was at the pre-application stage.

## **C26 LOCAL STRATEGIC PARTNERSHIP**

The Leader reported briefly on the LSP chairs meeting on 22 July. It was intended to improve communication links between the four work-stream groups and the Council. Ideas would be developed under the general heading of 'Living Well' under the three themes of 'Start Well, Stay Well and Age Well'. He intended that specific outcomes would emerge from this process tackling problems such as child poverty, dementia and mental health.

He informed members that Peter Fentem was standing down from the Health and Wellbeing Group and that Clive Emmett had been appointed as chief officer of the Uttlesford Council for Voluntary Services.

## **C27 LOCAL PLAN DEVELOPMENT STRATEGY**

Councillor S Barker proposed the recommendation from the Cabinet to adopt Scenario 5 for a hybrid distribution strategy, subject to the conditions as set out in the report. This included a fall-back position in the event that a new settlement(s) proved impossible to achieve.

Councillor Hargreaves commented on the inclusion of a fall-back position in the recommendation. He felt this would make the achievement of the preferred hybrid solution more difficult because those with a vested interest in development sites could make it an impossible aspiration.

The fall-back position was not put before members at the recent workshop and was in his view ill-advised. Councillor Hargreaves then requested a separate vote on the two parts of the recommendation.

Councillor R Freeman said that single settlement sites had not come forward but any proposals that were received would require a great deal of officer support including levels of ability and competence not presently available to Uttlesford as a small council. The cost of developing a new settlement was greater than simply tacking on new housing to existing communities.

The progression of garden city developments was a serious problem requiring substantial expertise and it was foolish to have a fall-back position.

The Leader said that he had been happy to include a fall-back position but it had been Councillor Dean's specific proposal at the PPWG meeting. His own position and the Council's was to go full bore to developing a single settlement and revert to developing sites in existing towns and villages only if the chosen option became impossible.

Officers were already in discussions about potential garden city developments and other projects were being progressed in Essex. His intention was to pursue option five with all energy.

Councillor Dean explained the reasoning for his proposal to incorporate a fall-back position. There were many unknowns in planning for a new settlement and the need to maintain a five year land supply. An opt-out position may be required if the pathway to a garden city was not clear. The condition was to make suitable infrastructure provision and not to be put in the position of total reliance on a single developer. In that context the inclusion of a fall-back position made more sense.

Councillor Asker asked the Leader to explain his definition of impossibility.

The Leader responded by saying that the development of a new settlement would be impossible if no sites were put forward for consideration, or there was no willingness to develop a new settlement. He considered this scenario to be unlikely.

Councillor Lodge supported Councillor Hargreaves' proposal. By the time it became apparent that a new settlement might not be viable the Local Plan process would be some months down the line and the planning inspector might already have approved option five. In that case, the selection of option four would be futile.

Councillor Light commented that the new environment post BREXIT might reduce the need for new housing provision.

The Leader responded that the impact of BREXIT could yet be known. The Council had to use the current housing projections as indicated in the SHMA study. It appeared the new Prime Minister was even more keen on new house building than the previous one.

Councillor Hicks said that the answer to Councillor Lodge would depend on whether the planning inspector judged the Local Plan process to be sound. It was in his view not feasible to embark on a plan including only one option with no alternatives considered.

The Chairman then called for the vote on the motion to be taken and this was approved by 27 votes to one against.

Councillor Lodge questioned why the amendment proposed by Councillor Hargreaves had not been taken. The Chairman responded that no amendment to the motion had been proposed.

RESOLVED to implement the following decision for consultation:

The preferred strategy for the Local Plan is Scenario 5 (Hybrid Distribution Strategy – New Settlement(s), Main Towns and Villages), as attached at the Appendix to the report, and that contingency is built into the Plan to allocate further homes if necessary;

the following conditions are stipulated as part of the adoption of Scenario 5:

- that a five year land supply is available;
- the required building rate can be maintained;
- infrastructure in existing towns and villages will be enhanced and taken into account in planning developments wherever possible; and
- Garden City Principles will be used and application made to Government for funding

Scenario 4 (Combination of Development in Main Towns and Villages) will become the fall-back position if Scenario 5 cannot be adopted, but only in the circumstance that it becomes impossible to proceed with New Settlement(s).

## **C28 APPOINTMENT OF MONITORING OFFICER AND DELEGATED POWERS**

The Leader confirmed the retirement of the Assistant Chief Executive – Legal on 5 August 2016. He proposed the interim arrangements set out in the report.

Mr Perry had been with the Council for nearly 15 years. He placed on record his grateful thanks and appreciation for the help Mr Perry had provided over that time and extended his best wishes for a long and happy retirement.

The motion was seconded by Councillor Chambers who referred to the expert advice offered to him as Chairman of the Licensing and Environmental Health Committee and for the hard work and loyalty he had always displayed. Mr Perry had always been truthful and straight in the advice he had given and he wished both him and his family a happy and long retirement.

Councillor R Freeman paid tribute to Mr Perry describing him as a good teacher of the principles of law. A fully-fledged legal department would be needed to deal with the significant challenges lying ahead.

The Chief Executive reassured members that Mr Perry would be replaced and she was expecting an interim appointment to be in place by the beginning of September. She gave an assurance that resources on providing legal cover would not be diminished.

Councillor Sell said that Mr Perry was the sole survivor of the previous management team.

Councillor Oliver said it was his understanding that internal audit duties had been transferred to the Director of Finance and Corporate Services.

The Chief Executive confirmed this was the case on an interim basis and had been done with the consent of the external auditors and of Mr Webb.

RESOLVED that:

1. the Council appoints Mrs Christine Oliva as a Monitoring Officer for the Council and gives her delegated power to grant dispensations under s.33 Local Government Act 2011 to district, parish and town councillors who have disclosable pecuniary interests to speak and/or vote on issues relating to such interests and to grant dispensations under the Code of Conduct to district, parish and town councillors with other pecuniary interests to speak and/or vote on issues relating to such interests.
2. the powers delegated to the Assistant Chief Executive – Legal by the council's Scheme of Delegation be delegated to Mrs Oliva.

## C29 **COMMUNITY GOVERNANCE REVIEWS 2016/17**

Councillor Howell proposed to conduct a community governance review of the parishes of Little Canfield and Takeley parishes concentrating on the area of Priors Green presently divided by the parish boundary. This followed a formal request for a review from Little Canfield Parish Council.

A review of the boundaries of Little Easton and Great Dunmow had already been agreed but had been deferred pending the outcome of the planning appeal presently lodged with the Secretary of State for determination.

RESOLVED to agree to conduct a review of the parishes of Little Canfield and Takeley with particular reference to the Priors Green area, and to refer the matter to the Electoral Working Group for consideration and to make any proposals for change in due course.

**C30 2018 REVIEW OF PARLIAMENTARY BOUNDARIES**

Councillor Howell reported the 2018 review of Parliamentary boundaries by the Boundary Commission for England would commence with the publication of initial proposals on 13 September.

RESOLVED that the Electoral Working Group be invited to consider the initial proposals for new Parliamentary constituencies in England and prepare the Council's response.

**C31 MOTION ON HATE CRIME AND TOLERANCE**

Councillor Morris proposed the following motion:

*"This Council notes with concern the increase in hate crime (57% increase by 27 June 2016) following the outcome of the EU Referendum.*

*Council restates that we are proud to live in a diverse and tolerant society and unequivocally condemns racism, xenophobia and hate crimes which have no place in our country.*

*We will not allow hate to become acceptable.*

*Council reassures all people living in Uttlesford that they are valued and equal members of our community.*

*Council resolves to work with the appropriate channels to prevent racism and xenophobia and promote tolerance and diversity."*

She said this was in response to petitioning by constituents and on social media. It was important for the whole community to stand together against abuse and in support of tolerance.

Councillor Light seconded the motion.

Councillor Dean said the country had been divided down the middle during the recent referendum and he felt this had promoted a climate of intolerance. A fear of foreigners had been stirred up by one side. He urged members to support the motion.

Councillor Gordon said he hoped the Council collectively would condemn hate crimes. There was a duty on everyone concerned to ensure that all such incidents were reported correctly. The reporting centre for hate incidents had no such reports but his understanding was that 13 incidents had been reported to the Police. He urged that such incidents should be reported, challenged and stopped through the community safety partnership.

Councillor Gordon said that he supported the aims of the motion but would prefer the word 'country' to be changed to 'community'. His youngest son, who originated from Sri Lanka, had asked him whether a problem of racial intolerance



existed in Uttlesford. He had replied that there was no problem in Uttlesford compared to elsewhere but the wording in the motion might give that impression.

Councillor Howell then spoke about his personal experience of racial intolerance. His father-in-law had married an English lady and adopted an English name but had lived in England as an illegal immigrant. He was the embodiment of all things to be celebrated in terms of living in a racially tolerant community. It had been said that English people liked immigration but not immigrants but he felt it was the reverse.

His personal experience was that most people were very welcoming but a small minority could act in an unkind and insulting manner. He endorsed the motion but felt it should not be linked to one event such as the recent Referendum.

Councillor Rolfe expressed his full support for the motion. Research had suggested that 18.3% of secondary pupils felt afraid to go to school for fear of bullying. The Police had now allocated civilian staff to liaise with schools on this subject and he hoped that everyone would remain vigilant.

In concluding the debate, Councillor Morris said she appreciated the support expressed by members. She confirmed she would have no problem with any amendment that might be suggested.

The motion was put to the vote and approved.

RESOLVED to approve the following motion:

This Council notes with concern the increase in hate crime (57% increase by 27 June 2016) following the outcome of the EU Referendum.

Council restates that we are proud to live in a diverse and tolerant society and unequivocally condemns racism, xenophobia and hate crimes which have no place in our country.

We will not allow hate to become acceptable.

Council reassures all people living in Uttlesford that they are valued and equal members of our community.

Council resolves to work with the appropriate channels to prevent racism and xenophobia and promote tolerance and diversity.

## **C32 MOTION ON ESTABLISHING A YOUTH ASSEMBLY**

Councillor Fairhurst proposed the following motion:

*“To approve the establishment of a Youth Assembly to the Uttlesford District Council”*

He said that young people had been described as unreliable, rebellious, undisciplined and disrespectful as long as 2,000 years ago in ancient Greece. There was no choice other than to entrust the future to the youth of today. Young people were confronted with the same problems facing everyone else.

He asked members to imagine the chamber filled with the smiling faces of 16, 17 and 18 year olds enabling them to take part in the democratic process. This could be brought about by supporting the motion to set up a youth council. He considered the timing was right because there was now more interest in politics than for a long time.

There was already a youth council in Essex and we were playing catch up as there should already be four Uttlesford delegates. A youth council had been established in Harlow for 12 years and this was a suitable model to follow. The hustings process for Essex was scheduled for September and October. The Council should commit in a full bloodied way to set up a similar body in Uttlesford.

Councillor Lodge seconded the motion.

Councillor Rolfe proposed the following amendment:

*“This Council supports engagement with all residents including with young people. To better understand how that engagement with young people might be carried out, a cross party working group will be established and will report back to Council with initial recommendations at the October Council meeting.”*

He said he did not disagree with the intentions of the motion but there was not a simple solution. We did not know that young people in Uttlesford necessarily wanted a youth assembly. The Council must find ways to engage with young people many of whom would not want to go into a debating chamber. It was now important to discover what young people wanted to do.

Councillor Chambers seconded the amendment. He thanked Councillor Fairhurst for making a passionate speech. He was in favour of engagement but the majority of young people did not understand politics and expectations should not be raised too high.

Councillor Rolfe spoke again to emphasise he wished to engage with all residents, not just young people. There were practical problems with the wording of the motion but the Essex hustings could still proceed.

In responding, Councillor Fairhurst said he supported the idea of a cross-party group to report back by October and was happy to support the amendment. The outcome should be based on the needs of young people only and the timing designed so as to ensure we did not miss the bus.

The amendment was put to the vote and carried with no votes against.

A number of members then joined the debate. Councillor Light proposed an amendment to the substantive motion to add the establishment of a youth assembly and this was seconded by Councillor Fairhurst. The following words were proposed to be added to the substantive motion:

*“with the objective of establishing a youth council.”*

The amendment was put to the vote and lost by 17 votes to 14.

The Chairman then called for the substantive motion to be put to the vote.

Councillor Ranger requested a recorded vote.

The outcome of the recorded vote was as follows:

For the motion:

Councillors Artus, Asker, G Barker, S Barker, Chambers, Davey, Davies, Dean, Fairhurst, Felton, Foley, J Freeman, R Freeman, Gleeson, Gordon, Hargreaves, Harris, Hicks, Howell, Jones, Light, Lodge, Mills, Morris, Oliver, Parr, Parry, Ranger, Redfern, Rolfe, Sell and Wells

No councillors voted against the motion.

RESOLVED that this Council supports engagement with all residents including with young people. To better understand how that engagement with young people might be carried out, a cross party working group will be established and will report back to Council with initial recommendations at the October Council meeting.

The meeting ended at 9.33pm.

## **APPENDIX – PUBLIC SPEAKING STATEMENTS**

In Feb 2016 NATS implemented changes to Stansted flightpath usage, moving flights from the Detling/Dover NPRs onto Clacton NPRs, for both runways 22 and 4. The result has been a more than doubling of flights using the Clacton NPRs.

The impact on the people under and beyond the Clacton NPRs has been severe. Felsted, High Easter and Stebbing Parish Councils have been asked by our parishioners to make representations to object to this change, and its resulting increase in flights over our Parishes, and help secure its reversal.

UDC's response to the original change consultation, like that of over 80% of responses, was to object to the change at this time. Days after the CAA approved the change, an independent review by Helios found the CAP725 change process unfit for purpose, on a number of grounds. CAA has since proposed significant changes to CAP725, in line with Helios recommendations.

There is a formal review of the Stansted flight change in February 2017, for which information is being collected now.

We are asking UDC to write now to the CAA, supporting the Parishes impacted by the change in flightpath usage from both runways 22 and 4. We ask you to:

1: Call for consideration to be given to ways in which increases in noise disruption can be mitigated, whether this change is reversed or not, through a review of existing NPR routings and the use of Performance Based Navigation to introduce respite.

□

2: Highlight the unconsidered impact of the change and call for its reversal.

Cllr Andy Bennett  
Felsted Parish Councillor

In the recent past East Hertfordshire and Essex County Councils and this Council have been consistently opposed to the nighttime flight regime at Stansted. Stansted is allowed twice as many nighttime flights as Heathrow, some 12,000 over a 12 month period.

There is currently a renewed level of concern and disquiet amongst residents with regard to nighttime flights. This extends to the shoulder periods from 11:00 to 11:30pm and 6:00 to 7:00am the very times when most people are trying to get to sleep or before they wake up. This is evidenced by an increasing use of the shoulder periods and nighttime slots immediately adjacent to the shoulder periods. There are currently no restrictions over the use of these shoulder periods. This combined with increased scheduled nighttime flights (11:30pm to 06:00am) is sufficient to perpetuate sleep disturbance/deprivation.

On the night of June 21st/22nd there were some 23 flight arrivals, both scheduled and late flights from 11.30pm up to 2:00am and another 2 flights between 2:00 and 4:00am. This ability to fly throughout the night allows and

encourages the low cost airline industry to schedule flights close to the nighttime deadline in the full knowledge that any delays costs to them will be negligible regardless of the environmental and health effects on communities affected.

Additionally the number of night flights at Stansted has significantly increased over the past year, believed to be largely due to the closure of Manston Airport which led to Manston's cargo airlines transferring to Stansted. Manston was subject to a ban on night flights. There is no such ban for cargo airlines at Stansted.

We ask UDC to write to the CAA and the DfT requesting that night time and shoulder period flights should be reduced year on year in the short term and in the longer term there should be a total ban on night flights except for emergencies.

Dr Margaret Beer  
Resident of High Easter