

COUNCIL held at ZOOM on TUESDAY, 21 JULY 2020 at 7.00 pm

Present: Councillor M Foley (Chair)
Councillors A Armstrong, H Asker, G Bagnall, S Barker,
M Caton, A Coote (Vice-Chair), C Criscione, C Day, A Dean,
G Driscoll, D Eke, J Evans, P Fairhurst, R Freeman, N Gregory,
N Hargreaves, V Isham, R Jones, A Khan, P Lavelle,
G LeCount, P Lees, M Lemon, B Light, J Lodge, J Loughlin,
S Luck, S Merifield, E Oliver, R Pavitt, L Pepper, N Reeve,
G Sell, A Storah, M Sutton, M Tayler and J De Vries

Officers in attendance: L Browne (Monitoring Officer), B Ferguson (Democratic Services Manager), D French (Chief Executive), C Gibson (Democratic Services Officer) and A Webb (Director - Finance and Corporate Services)

Public Speakers: D Brett, T Brobbey, E Gildea, S Naik and M Wolter (Youth Council).

A minute's silence was held before the formal commencement of the meeting for two employees who had recently passed away. David Wise, Grounds Maintenance and Highways Supervisor and Hannah Jackson, Visiting Officer. The Chair said that our thoughts were with their families and friends at this most difficult time.

C18 PUBLIC SPEAKERS

Mr Gildea made a statement in support of the Water and Rivers motion. Ms Brobbey, Ms Wolter, Ms Naik and Mr Brett made statements in support of the Statement of Commitment and Action regarding Equality, Inclusion and Diversity.

C19 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillor Evans declared a non-pecuniary interest for Agenda Item 12 as a riparian owner of a length of Stebbing Brook.

C20 MINUTES OF THE PREVIOUS MEETING

The minutes of the meetings held on 19 May and 23 June were agreed and would be signed by the Chair as an accurate record at the next opportunity.

C21 CHAIR'S ANNOUNCEMENTS

The Chair said that since the last meeting he had attended the following engagements:

- Raised the flag on 22 June for Armed Forces Day
- The reopening of shops in Saffron Walden Town Centre, Stansted Mountfichet and Great Dunmow.

He said that in the upcoming weeks he would be re-opening the leisure centres in Saffron Walden and Stansted as well as starting a “500 miles” walk in aid of the Chair’s Charity, the Stroke Association.

C22 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE

The Leader referred to his written report and said that the Council was concentrating on responding to the pandemic. He thanked officers for continuing to provide existing essential services as well as working to pick up the extra demands brought on by the pandemic.

Councillor Light said that she echoed the Leader’s thanks to all staff for their efforts. She welcomed the submission of written reports from Members of the Executive.

C23 QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRS (UP TO 15 MINUTES)

Councillor Loughlin said that before the election Councillor Lodge had said that he would abolish the Cabinet system and that immediately after the election he had said he would start the process but that since then the size of the Cabinet had increased to ten Members. There had been nine meetings of the Governance Review Working Group scheduled between September 2019 and April 2020 but only four had taken place. The Leader confirmed that work and consultations were on-going through the Governance Review Working Group and a report was awaited. Councillor Coote apologised for the lack of progress and confirmed that there had not been many meetings of the Working Group recently but that the next meeting would be held in September with a report being brought back to Council after the meeting.

Councillor Sell thanked Executive Members for their reports and particularly commended Councillor Freeman’s report. He noted that at least one Member of the Executive had failed to provide a report since last year. He asked for a progress report on the Carver Barracks running track. The Leader said that the local newspaper had reported that work had started, there were some logistical delays that he would be following up with the army and that he would be in a position to report back in a few days.

Councillor Barker asked the Leader how many “Duty to Co-operate Member Meetings” relating to the Local Plan had been held in the last year. The Leader said that he did not have the figures to hand and agreed to respond. Councillor Barker asked that the details be circulated to all Members.

Councillor Hargreaves provided a verbal update on the Council's finances. He said that the latest Government return was predicting a deficit of £3.17m due to Covid- 19; the Government had provided £1.05m to date and there might be further support to follow but there would clearly be a financial shortfall this financial year. He said that the Council had applied for an £80,000 grant from the Re-opening of High Streets Safely Fund. He said he was concerned that Councillor Criscione had recently written what he considered to be a political letter to the local newspaper implying that there was money to spend and that this was creating a false impression.

Councillor Driscoll asked a question about Europe recently agreeing funding of £370m for the pandemic. Councillor Hargreaves said that he did not think these funds would be directed to UDC. Councillor Coote confirmed that funds would not be forthcoming as they related to the next financial year and the UK had not contributed. He asked if the Council's budget would have been balanced were it not for Covid-19. Councillor Hargreaves confirmed that all budgets had to be balanced but that Covid- 19 had badly affected income streams.

Councillor Light asked for regular written reports on Council finances and stated that she was not impressed by the reference made by Councillor Hargreaves to the recent letter by a Member to the local newspaper. Councillor Hargreaves referred Members to the regular updates issued by the Director- Finance and Corporate Services. He said that he would not normally comment on letters but felt that Members should all pull together in the current circumstances.

Councillor Caton referred to the Planning Playing Field Pitches Strategy that had identified the need for floodlit football pitches and asked what progress had been made. Councillor Armstrong reported that the work in Saffron Walden was almost complete, discussions in Dunmow were moving forward but that meetings with the community in Stansted had yet to take place and that he would be looking to take this forward through Zoom meetings.

Councillor Khan expressed concern about job losses at Stansted Airport and whether there had been contact with management and the unions. Councillor Day stated that he had not been in contact with relevant bodies but Councillor Coote confirmed that he had been in contact with the Unite Union and with pilots and other staff losing their jobs and that there was a demonstration organised by Unite on Friday.

In response to a question from Councillor Criscione about the Executive decision to temporarily suspend the Statement of Community Involvement, Councillor Evans stated that the Statement of Community Involvement would be on the Local Plan Leadership Group agenda next week, where there would be an opportunity to review matters.

Councillor Light supported the excellent work of the Climate Change Working Group. She asked for clarification of the statement about empowering people to have a bigger say on public money spend and asked what public money was available. She also asked how many additional cycle racks there would be at Audley End Station. Councillor Pepper responded that only essential spend was currently being permitted but that in future years local residents would be

empowered to have their say through prioritisation of key objectives. She said she would write to Councillor Light with relevant information about cycle racks. Councillor Eke added that at a recent meeting of the Uttlesford Transport Forum, East Anglian Railways had said there would be an increase of 60 new spaces for cycles at Audley End Station.

C24 MATTERS REFERRED FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES

Councillor Gregory, as Chair of Scrutiny Committee, reported on two issues. He said that because of the scale of the financial problems being faced by the Council, as a result of Covid- 19, it would come as no surprise that the Corporate Plan Delivery Plan (CPDP) lay “somewhat in tatters” and he had asked for a detailed revised submission of the CPDP focusing on what can actually be done, taking into account financial limitations, to be brought to the September Scrutiny Committee meeting. He was also pleased to report that the Committee recommendations made about Local Plan scrutiny had been welcomed by Cabinet. Councillor Criscione had agreed to be a lead Member on Local Plan Scrutiny and the intention was also to approach Councillor Coote to take up a similar role.

C25 MATTERS RECEIVED ABOUT JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

There had been no matters received.

C26 APPOINTMENT OF A MONITORING OFFICER AND DELEGATED POWERS

The Leader presented a report proposing interim arrangements following the resignation of Simon Pugh, Assistant Director, Governance and Legal, including the appointment of the Council’s Monitoring Officer.

In response to a question from Councillor Sell, the Leader confirmed that these arrangements were a necessity at the current time and that this was not a restructure.

The Leader proposed and Councillor Lees seconded the motion.

RESOLVED

- 1) That the Council appoints Mrs Lorraine Browne as 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) That the powers delegated to the Assistant Director, Governance and Legal by the Council's Scheme of Delegation be delegated to Mrs Browne.

Councillor Day and Councillor Evans thanked Simon Pugh for all his hard work over the years and the Chair also thanked him on behalf of the Council.

C27 **APPOINTMENTS TO THE STANDARDS AND SCRUTINY COMMITTEES**

The Chair read out the list of proposed appointments.

The Leader proposed and Councillor Driscoll seconded the motion to make appointments to the Scrutiny and Standards Committees.

Some Councillors expressed dissent to the proposed appointment of Councillor Storah to the Scrutiny Committee on governance grounds.

Councillor Lees stated that Councillor Storah had resigned his deputy role on the Executive and would not sit on the Scrutiny Committee when there was any discussion of the Local Plan, due to his involvement with the Local Plan Leadership Group.

Councillor Dean was concerned that too much adhococracy was taking place in respect of appointments and separation of responsibilities. It was agreed that this matter should be taken off-line for further discussion.

The Leader stated that the Local Plan Leadership Group was a Cabinet working group and appointments were made by the Leader and Cabinet.

After taking advice from the Chief Executive, the Chair agreed that Councillor Dean would make his comments outside of the meeting. The Chief Executive advised that as there had been some comments of dissent this seemed to indicate the need for a roll call vote. The Chair said that he agreed with this advice.

The vote to consider appointments to the Scrutiny and Standards Committees as set out on the agenda was as follows:

For	Against	Abstain
Cllr Armstrong	Cllr Barker	Cllr Dean
Cllr Asker	Cllr Caton	Cllr Fairhurst
Cllr Bagnall	Cllr Criscione	Cllr Foley
Cllr Coote	Cllr Lemon	Cllr Khan
Cllr Day	Cllr Oliver	Cllr Light
Cllr Driscoll		Cllr Loughlin
Cllr Eke		Cllr Sell
Cllr Evans		
Cllr Freeman		
Cllr Gregory		
Cllr Hargreaves		

Cllr Isham		
Cllr Jones		
Cllr Lavelle		
Cllr LeCount		
Cllr Lees		
Cllr Lodge		
Cllr Luck		
Cllr Merifield		
Cllr Pavitt		
Cllr Pepper		
Cllr Reeve		
Cllr Stora		
Cllr Sutton		
Cllr Tayler		
Cllr De Vries		
Total:		
26	5	7

Result: 26 votes in favour, 5 against and 7 abstentions.

RESOLVED to approve the following appointments to the Standards and Scrutiny Committees:

- I. To appoint Councillor LeCount to the Standards Committee in place of Councillor Reeve.
- II. To appoint Councillor Stora as a substitute to the Standards Committee in place of Councillor LeCount.
- III. To appoint Councillor Stora to the Scrutiny Committee in place of Councillor Reeve.
- IV. To appoint Councillor de Vries as a substitute to the Scrutiny Committee in place of Councillor Stora.
- V. To appoint Councillor Asker as the Chair of the Standards Committee.

C28

STATEMENT OF COMMITMENT AND ACTION REGARDING EQUALITY, INCLUSION AND DIVERSITY

The Chair presented the item as a cross-party statement, produced jointly by Group Leaders with input from other Members and the Chief Executive. He said that it sought to send positive signals to residents, communities and visitors to the District, as well as to the Council’s employees, that diversity and inclusion were valued by the Council. It also recognised that the Council could not be complacent and needed to take further action. He proposed the motion on behalf of all Members to endorse the statement, to establish Community Listening Events, referred to in paragraph 12 and to establish an Oversight Panel, referred to in paragraph 13.

Councillor Khan seconded the motion and praised the four public speakers for their contributions. He said he was pleased that a joint statement position had been reached, although he noted that there had been some hostile reactions at the outset of discussions. He recognised the sentiments of Black Lives Matter

and said that the statement sent a powerful and progressive message to the community.

Councillor Light supported the statement. She referred to the death of George Floyd and the need to work closely with the Black and Minority Ethnic community.

Councillor Pepper, as portfolio holder, supported the statement and said that any discrimination should not be tolerated.

Councillors Barker, Driscoll, Sell, Hargreaves, LeCount, Tayler, Lees, Dean, Asker, Gregory, Loughlin, Criscione and Fairhurst all spoke in positive support of the statement. It was stressed that the statement referred specifically to the view that black lives matter. Members considered that this was an excellent starting point. It was stated that earlier versions of the statement had been much improved upon. Comments were made that discrimination still continued because of ethnic origin and that much discrimination was hidden; there was a need for vigilance and to be inclusive. It was said that Members should not make this a political issue but should all work together.

The Chair thanked everybody for their input and said that a vote was needed. He asked if there was any dissent; he ruled that the statement was supported unanimously.

RESOLVED: Council is recommended:

- a. To endorse the statement set out below, and
- b. to establish Community Listening Events, referred to in para 6 and
- c. to establish an Oversight Panel, referred to in para 7

Joint Statement Of Commitment And Action Regarding Equality, Inclusion And Diversity

1. The recent protests surrounding violence against members of America's black community were a salutary reminder that systemic prejudice and racial disadvantage in their many guises are ever present around the world. They have no place in the 21st century.
2. Here in the UK, the Black Lives Matter demonstrations focused the nation's conscience on what it means to be on the receiving end of racism and the continuing disparity in life chances and quality of life faced by our Black, Asian and Minority Ethnic communities. We are clear that black lives do matter. Prejudice is something this Council will not tolerate.
3. We also recognise the enormous contributions made by Black people and those from minority ethnic groups here in Uttlesford, including the roles they have played in the fight against Covid-19. We are saddened that Black people and those from minority ethnic groups have been disproportionately impacted by the virus.

4. Uttlesford District Council will continue and redouble its efforts to combat racism, disadvantage and injustice. We will, quite simply, do everything within our powers to ensure that the Council and the District are inclusive and welcoming places for all people to live, work and visit.
5. Members and officers are therefore committed to completing its work (that had been suspended with the arrival of Covid19) to reach the 'Achieving Level' of the Equality Framework for local Government by Autumn 2020.
6. As a first step towards better understanding what our minority communities experience, Council will establish Community Listening Events designed together with other community leaders, partner organisations, residents and staff and to be held in the Autumn of this year. These will listen to Uttlesford's Black and Minority Ethnic community and understand what barriers they face. A report will be brought back to full council on what we have learnt from these events, together with an action plan to address such barriers.
7. Council will also establish an independent oversight panel to advise, guide, inform and assure the efforts of the council towards a fully inclusive work and social environment in our district.

C29 NOTICE OF MOTION RECEIVED: FIREWORKS

Councillor Criscione put forward his five part motion regarding fireworks.

Councillor Driscoll seconded the motion but reserved the right to speak.

Members generally supported the principles expressed in parts 1) and 2) of the motion but concerns were expressed about whether licensing arrangements were appropriate, whether there was a need to write to the UK Government and also of some lack of clarity in the motion.

A short adjournment was suggested to enable interested parties to discuss the matter further.

The Council adjourned at 9.13 and reconvened at 9.28. .

Councillor Criscione said that having listened to Members' concerns he would amend his motion such that parts 1) and 2) would remain the same, part 3) would be amended and parts 4) and 5) would be withdrawn.

Councillor Driscoll seconded the motion and also recognised concerns raised about Chinese lanterns.

The Chair said that a vote was needed. He asked if there was any dissent and ruled that the motion had been supported unanimously.

RESOLVED:

1. To encourage all public firework displays within Uttlesford District Council's administrative boundary to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
2. To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
3. To encourage in the same public awareness campaign the use of quieter fireworks and the emphasis of their use in public and private displays.

C30

NOTICE OF MOTION RECEIVED: WATER AND RIVERS

Councillor Pavitt summarised his report and outlined the Water and Rivers motion, which had also been proposed by Councillors Caton, Criscione, Fairhurst, Luck and Tayler.

He stated that in July 2019, the Council had declared a Climate & Ecological Emergency with a plan of action based on Air Quality, Biodiversity and Carbon-induced climate change. Rivers played an essential part in biodiversity, particularly those classified as chalk streams. Over-abstraction of the chalk aquifer was destroying these rivers and their biodiversity. He said that the Council must act to raise awareness of this threat and demand that those responsible for water supply and environmental protection act now to protect the supply of water to Uttlesford and to avoid the loss of important river habitats.

Councillor Pepper had seconded the motion and reserved the right to speak.

Councillors Fairhurst, Evans, Khan, Bagnall, Hargreaves, Lees, Isham, Criscione, Light, Luck and Tayler all spoke in support of the motion.

Members recognised:

- that this was an urgent matter,
- that water did not respect boundaries
- that there was a duty to cooperate with neighbouring Councils
- that chalk streams were essential
- that water was not an endless resource
- that new homes could not be built without water supplies and
- that there was currently a lack of water flow in the district.

Members considered that this was a good time for this motion ahead of consideration of the Local Plan. There was a need to put pressure on Water Companies to look at the situation. Affinity Water had admitted that there would be water problems up until 2040.

Councillor Pepper congratulated Councillor Pavitt for an excellent report and formally seconded the motion.

The Chair said that a vote was needed. He asked if there was any dissent and ruled that the motion had been supported unanimously.

RESOLVED: This Council is resolved:

- 1) To act to raise awareness of the threat to its rivers and to:
 - (a) Call on those responsible for water supply and environmental protection to adopt immediate measures to avoid the loss of important river habitats.
 - (b) Lobby Central Government to gain better recognition of both Uttlesford's water imperatives and also the need to protect its Chalk streams.
- 2) To make water supply and river health a material consideration of sustainability when assessing major applications for development within the district.
- 3) When developing the district Local Plan to give full and detailed consideration to:
 - (a) The sustainable provision of water throughout the district; and
 - (b) Protection of the Chalk stream habitats of Uttlesford.
- 4) At the earliest opportunity to introduce stringent policies for new buildings in respect of water conservation and recycling.
- 5) To call on the Environment Agency to:
 - (a) Immediately submit a plan for restoring a proper and consistent flow to the rivers of Uttlesford; and
 - (b) Propose a programme for monitoring water quality and restoring the biological health of rivers to at least "good" as defined in the Water Framework Directive; and
 - (c) Ensure that the alkalinity of the Chalk streams within Uttlesford is and continues to be sufficient to safeguard the natural ecology associated with a Chalk stream environment.

The meeting ended at 9.57pm.