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# Uttlesford District Council

Chief Executive: Dawn French

## Extraordinary Council Meeting

To all Members of Uttlesford District Council, you are hereby summoned to attend the meeting of the District Council to be held as shown below to deal with the business set out in the agenda.

**Date:** Monday, 28th June, 2021

**Time:** 6.30 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden, CB11 4ER

**Broadcast:** <https://uttlesford.moderngov.co.uk/ieListDocuments.aspx?CId=159&MId=5841>

**Chair:** Councillor A Coote

**Members:** Councillors A Armstrong, H Asker (Vice-Chair), G Bagnall, S Barker, M Caton, C Criscione, C Day, A Dean, G Driscoll, D Eke, J Emanuel, J Evans, P Fairhurst, M Foley, 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, G Smith, M Sutton, M Tayler and J De Vries

Kind regards

Dawn French  
Chief Executive

### **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. Please register your intention to speak at this meeting by writing to [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk)

Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, and encouraged to attend the meeting via Zoom to readout their questions or statement themselves. For further information,

please see overleaf. Those who would like to watch the meeting live can do so virtually [here](#). The broadcast will be made available as soon as the meeting begins

## **AGENDA PART 1**

### **Open to Public and Press**

#### **1 Apologies for Absence and Declarations of Interest**

To receive any apologies and declarations of interest.

#### **2 Newport, Quendon and Rickling Neighbourhood Plan 4 - 7**

To consider the Newport, Quendon and Rickling Neighbourhood Plan report.

#### **3 Exclusion of public and press**

Consideration of an item containing exempt information within the meaning of section 100I and paragraphs 5, 7 part 1 Schedule 12A Local Government Act 1972.

## **PART 2**

### **Exclusion of Public and Press**

#### **4 Member Motion: Vote of No Confidence 8 - 9**

To consider the motion of no confidence in the Leader and Cabinet (attached).

## **COMMITTEE MEETINGS AND THE PUBLIC – MAY 2021 UPDATE**

In light of the recent High Court judgement regarding the extension of remote meeting regulations, Council, Cabinet and Committee meetings will now be returning to in-person and will be held on-site from Thursday 6th May 2021. However, due to social distancing measures and capacity considerations in line with the Council's risk assessment, public access and participation will continue to be encouraged virtually until further notice. Members of the public are welcome to listen live to the debate of any of the Council's Cabinet or Committee meetings. All live broadcasts and meeting papers can be viewed on the Council's calendar of meetings webpage.

Members of the public are permitted to speak at this meeting and will be encouraged to do so via the video conferencing platform Zoom. If you wish to make a statement via Zoom video link, you will need to register with Democratic Services by midday two working days before the meeting. There is a 15 minute public speaking limit and 3 minute speaking slots will be given on a first come, first served basis. Those wishing to make a statement via video link will require an internet connection and a device with a microphone and video camera enabled. Those wishing to make a statement to the meeting who do not have internet access can do so via telephone. Technical guidance on the practicalities of participating via Zoom will be given at the point of confirming your registration slot, but if you have any questions regarding the best way to participate in this meeting please call Democratic Services on 01799 510 369/410/467/548 who will advise on the options available.

### **Facilities for people with disabilities**

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate.

If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk) or phone 01799 510510 as soon as possible prior to the meeting.

### **Fire/emergency evacuation procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest designated fire exit. You will be directed to the nearest exit by a designated officer. It is vital you follow their instructions.

#### **For information about this meeting please contact Democratic Services**

Telephone: 01799 510548, 510369, 510410 or 510467

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

#### **General Enquiries**

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

Telephone: 01799 510510

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

# Agenda Item 2

<b>Committee:</b>	Full Council	<b>Date:</b>	
<b>Title:</b>	Newport Quendon & Rickling Neighbourhood Plan		Monday 28 June 2021
<b>Portfolio Holder:</b>	Councillor John Evans		
<b>Report Author:</b>	Demetria Macdonald, Planning Policy Officer <a href="mailto:dmacdonald@uttlesford.gov.uk">dmacdonald@uttlesford.gov.uk</a>		

## Summary

1. The Localism Act 2011 introduced a right for communities to draw up neighbourhood plans. Newport Quendon & Rickling Parish Council, with support and advice from the District Council, has produced a neighbourhood plan which has subsequently undergone a successful examination and referendum. This report considers whether the Newport Quendon & Rickling Neighbourhood Plan should be **made** (the Neighbourhood Plan legislation's term for adopted) by the District Council as part of the statutory development plan.
2. A neighbourhood plan, once 'made', forms part of the statutory development plan and sits alongside the Uttlesford Local Plan Adopted 2005. Should planning permission be sought in areas covered by an adopted Neighbourhood plan, the application must be determined in accordance with both the neighbourhood plan and the Local Plan unless material considerations indicate otherwise.

## Recommendations

3. That the Newport Quendon & Rickling Neighbourhood Plan be formally 'made' as part of the statutory development plan for the District.

## Financial Implications

4. The two examinations that cost **£13,961.82** and **£1,350.00** respectively **and** referendum costing **£2,651.21** were initially funded by Uttlesford District Council. UDC will be able to claim up to £20,000 funding from MHCLG which will cover the cost of the examinations and referendum.

## Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

## Impact

6.

Communication/Consultation	The plan has undergone significant community involvement in its preparation
Community Safety	The plan deals with community safety
Equalities	The plan consulted with every resident
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	The plan deals with sustainability of the parish
Ward-specific impacts	Newport Quendon & Rickling
Workforce/Workplace	None

## Situation

7. The parish of Newport Quendon & Rickling was designated a neighbourhood plan area on 4 December 2014. The Neighbourhood Plan group then gathered evidence and undertook significant consultation. Pre-Submission consultation under Regulation 14 was undertaken between 23 July and 21 September 2018.
8. The Newport Quendon & Rickling Neighbourhood Plan was submitted for Examination on 1 August July 2019. The examination was conducted via written representations as the Examiner decided that a public hearing would not be required. The Examiner's Report, detailing recommendations was received on 29 September 2019.
9. On 24 November 2020, Cabinet having considered each of the recommendations made by the Examiner resolved that the Newport Quendon and Rickling Neighbourhood Plan be modified as set out, be subject to a seven-week consultation (17 September - 29 October 2019), progress to Referendum subject to no substantive representations being lodged. On 2 February 2020, after the seven -week consultation period the Director of Public Services, in consultation with the Planning Portfolio Holder considered responses to the consultation, accepted and endorsed the proposed changes to the Neighbourhood Plan and supported the Plan to go forward to referendum.

10. A referendum was held in Newport Quendon & Rickling Parish on **Thursday 6 May 2021** posing the following question to eligible voters:

*“Do you want Uttlesford District Council to use the neighbourhood plan for Newport Quendon & Rickling to help it decide planning applications in the neighbourhood area?”*

11. **44.2%** of registered electors recorded votes, **1,178** votes were cast of which **1,066 or 90.5%** were in favour of ‘Yes’ and **112 or 9.5%** votes in favour of ‘No’. It was therefore declared that more than half of those voting had voted in favour of the Newport Quendon & Rickling Neighbourhood Plan.

12. In accordance with the Neighbourhood Planning Regulations, following the outcome of the referendum it is now for the District Council to **‘make’** the neighbourhood plan so that it formally becomes part of the development plan for Uttlesford District.

13. Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) sets out the requirement for a local planning authority when it comes to making a neighbourhood plan. It states that:

*“(4) A local planning authority to whom a proposal for the making of a neighbourhood development plan has been made –*

*(a) must make a neighbourhood development plan to which the proposal relates if in each applicable referendum under that Schedule (as so applied) more than half of those voting have voted in favour of the plan, and*

*(b) if paragraph (a) applies, must make the plan as soon as reasonably practicable after the referendum is held.*

*(6) The authority are not to be subject to the duty under subsection (4) (a) if they consider that the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention of the rights (within the meaning of the Human Rights Act 1998).”*

14. As a result of the outcome from the referendum and in accordance with the aforementioned legislation the Council is legally required to bring the plan into force following the successful referendum. It is recommended that the plan is formally made by the Council to become part of the development plan for the district and to help determine planning applications in the parish.

## Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
That the Neighbourhood Plan is not made	1.Little – Members have approved the proposed changes to the Plan following the examination.	The Council will be in breach of its statutory duty under the Town and Country Planning Act 1990.	This report has been drafted to clearly set out the risks to decision makers.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

# Agenda Item 4

## **The cross-party motion for a Vote of No Confidence in the Leader and Cabinet of Uttlesford District Council**

The Leader and Cabinet of Uttlesford District Council have failed on a number of fronts to the detriment of our residents. This is a direct result of the lack of transparent, accountable and honest leadership which has been consistently demonstrated during the past two municipal years through the following unacceptable actions and behaviours and failure of leadership that must not be allowed to continue.

### **1. A FAILURE TO DEFEND DEMOCRATIC DECISIONS**

The Council Leader and Cabinet failed to uphold the Planning Committee's decision to unconditionally refuse Stansted Airport Limited (STAL) permission to expand Stansted Airport to 43 million passengers per annum. In so doing they compromised the Council's case at the recent appeal hearings. Furthermore, the same leading Members have unacceptably failed to be accountable by not answering sixteen questions about the appeal process posed by other Members in January 2021.

### **2. A FAILURE OF GOOD GOVERNANCE**

The Council Leader and Cabinet have failed to run the Council in a proper manner and have demonstrated a lack of Good Governance. The same leading Members have refused to call upon parties involved in an ongoing 14-months' long Police Investigation and to follow good practice and to stand aside until the investigation's completion, thus causing substantial reputational and financial damage to the Council. Until the Police and any internal investigation are completed the external auditor is unable to sign off the Council's Annual Governance Statement and the Council's accounts for 2019/20.

### **3. A FAILURE OF ACCOUNTABILITY**

The Council Leader and Cabinet have failed to respect the principle of Democratic Accountability. They have displayed dishonesty and have created a bullying and intimidatory culture which tolerates neither dissent nor questioning from backbench members. Elected members who question, or ask for clarification are frequently dismissed, demeaned or intimidated by administration party members, often in a vicious or otherwise inappropriate manner, so effectively suppressing the democratic representation of their constituents.

## **Conclusion**

**Council therefore resolves to pass a Vote of No Confidence in the current Leader and Cabinet and affirms that they are unfit to lead this Council.**

**PROPOSER:** Councillor M Caton

**SECONDER:** Councillor V Isham



## **REQUISITION**

We, the undersigned, hereby sign this requisition calling for an Extraordinary Council Meeting to take place on June 28th in order to conduct the following business:

**A Vote of No Confidence in the Leader and Cabinet of Uttlesford District Council.**

### **REQUISITION SIGNED BY:**

Councillor Susan Barker (Con)

Councillor Paul Fairhurst (Green)

Councillor Melvin Caton (Lib Dem)

Councillor Vere Isham (Green)

Councillor Christian Criscione (Con)

Councillor Ayub Khan (Lib Dem)

Councillor Alan Dean (Lib Dem)

Councillor Mark Lemon (Con)

Councillor Barbara Light (Green)

Councillor Janice Loughlin (Lib Dem)

Councillor Edward Oliver (Con)

Councillor Geoffrey Sell (Lib Dem)

Councillor George Smith (Con)