

COUNCIL MEETING held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 7.30pm on 25 JULY 2017

Present: Councillor G Sell – Chairman
Councillors A Anjum, K Artus, H Asker, G Barker, S Barker, R Chambers, J Davey, A Dean, P Fairhurst, T Farthing, R Freeman, A Gerard, J Gordon, E Hicks, S Howell, D Jones, T Knight, G LeCount, M Lemon, B Light, J Lodge, J Loughlin, S Morris, E Oliver, V Ranger, J Redfern, H Rolfe and L Wells

Officers in attendance: D French (Chief Executive), R Harborough (Director of Public Services), S Pugh (Head of Legal Services), P Snow (Democratic and Electoral Services Manager), J Starr (Community Officer - Drugs and Alcohol) and A Webb (Director of Finance and Corporate Services)

C25

PUBLIC SPEAKING

Public statements were made by Will Macdonald from Carver Barracks and by Rob Parkinson representing Historic England. Their statements are summarised below.

Colonel Will Macdonald, the outgoing Head of Establishment at Carver Barracks, spoke to the meeting about the proposed financing of the running track as a joint Army and community facility at the Barracks. Carver Barracks comprised an area of 550 acres of which 28% was dedicated for technical use and the remainder available for training and other uses.

By the end of 2018 there would be 1100 soldiers on site and 300 families in residence. The Barracks already had a large civilian facility with 6-8,000 users each year, including 27 sports clubs, bringing in an income of £33k per annum. The aim now was to make the facilities more widely available to the local community.

A series of liaison meetings had taken place over a period of time involving Councillor Artus when he was Chairman of the Council. A contractor was in place ready to start on the project but the Government's announcement about closure intervened.

The Army had agreed to allocate 20% from a £1m welfare budget for 33EOD, and funding committed from LIBOR so that £1.2m was already in place depending on the Council's agreement to proceed. However, this match funding would be lost if a decision was not made within the next two weeks.

He said this project would provide value for money for the community. It would provide facilities for the next generation of Olympians as well as strengthening ties with the local community. In his considered view, Carver Barracks would remain open long after 2031. The project was ready to start in the second week of August and would be completed by December 2018. He asked for the Council's support to enable the project to proceed.

Rob Parkinson from Historic England expressed his support for the proposal to serve a repairs notice on the owners of Tilty Mill. He complimented the Council on the initiative being taken as well as on the skill and expertise of the Council's officers. Historic England would offer a grant to the Council of up to 80% of the cost of enabling the work needed to restore Tilty Mill and would include the cost of officers' time.

The Chairman thanked Mr Parkinson for the generous offer he had made.

C26

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Davies, Felton, Foley, Goddard, Hargreaves, Harris, Lees, Mills and Ryles.

Councillor S Barker declared a personal and prejudicial interest in item 6b on the agenda relating to Carver Barracks as the matter fell within her remit as a Portfolio Holder at Essex County Council. She said that she would leave the room during the consideration of that item.

C27

MINUTES

The Minutes of the meetings held on 16 May (Annual meeting) and 11 July 2017 were received, approved and signed by the Chairman as a correct record, subject to the following amendments:

In the final sentence in paragraph eight of Minute C13 on 16 May, "Appointment of Committees 2017/18", for the words spoken by Councillor R Freeman, "He questioned the competency of local authorities to run investments of this kind and told members that this would bind eight consecutive Council Administrations" substitute "*would bind twelve consecutive Council Administrations*".

In the remarks made by Councillor Lodge in the following paragraph, add the word "some" as in the sentence "He personally agreed with the investment in Chesterford Research Park, although *some* members in his party did not".

In the fifth paragraph of the fifth page of the Minutes of the 11 July meeting, Minute C24 "Draft Uttlesford Local Plan", take out the words attributed to Councillor Ranger "*requested that responses be given to all who participated in the consultation, but*".

C28

CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on the many events to which he had been invited since taking on the role in May. It was an interesting role and one that he had found to be of great relevance to the position of the Council within the local community.

He especially commended Councillors Harris and Fairhurst for being nominated and recognised at the Uttlesford Business Awards held at Quendon Park.

For those interested in obtaining more detail about his activities in the Chairman's role, he had initiated a communication channel called "Chairman's

Chat" on the website and this included a link to enable any organisation to invite the Chairman to a planned event. It also included a schedule of the events in the Chairman's calendar.

Councillor Sell made reference to the long service to the district of both Lord Petre, who would be retiring on 4 August as the Lord-Lieutenant of Essex after 15 years of service, and Sir Alan Haselhurst who had stood down as the Member of Parliament for Saffron Walden Constituency immediately before the recent General Election, after almost 40 years of service. He proposed that letters be sent to both Lord Petre and to Sir Alan thanking them for their many years of devoted service during their respective tenures in office.

He wished Jennifer Tolhurst and Kemi Badenoch good fortune in taking on the roles of Lord-Lieutenant and Member of Parliament respectively.

Councillor Chambers said that he was pleased to support the Chairman's proposal and the meeting agreed that letters should be sent.

C29

REPORTS FROM THE LEADER AND THE EXECUTIVE

The Leader commended Councillor Sell for his Chairman's report and said that he was acting as a good ambassador for the district. He wished to echo the earlier comments about the sterling service given by both Lord Petre and Sir Alan Haselhurst and said it was right that it should be recognised in the way suggested.

There were three specific areas on which he would be reporting to members. First, the Local Plan consultation had commenced with exhibitions at Great Chesterford and Stebbing. The feedback received so far indicated a wish to obtain more information about what was meant by the term "garden communities". The themes and principles associated with this type of development would be articulated at the member briefing in September and arrangements then made to deliver information about garden community principles to every household in the district.

The second matter of report concerned the intention of the Manchester Airport Group to seek early planning permission to increase passenger numbers from 35mpa to 44.5mpa. A briefing would take place for members soon.

Finally, as the Police and Crime Commissioner for Essex, Roger Hirst had initiated a proposal for joint governance of Essex Police and Essex Fire Services and would be the first in the country to do so. He told members he considered it would benefit both services to have a closer alignment as this would produce savings and lead to a more joined up response to incidents.

Councillor Ranger reported on his attendance at a number of events including a conference arranged by the Police and Crime Commissioner about ways of building inter service co-operation, and others arranged by the Planning Advisory Service, and the West Essex Clinical Commissioning Group. There had been a number of other events connected to his portfolio area and he had signed off the allocation of grants to the value of £62k for various community projects.

Councillor Redfern referred to a press release about the development at Cornell Court in Saffron Walden, named after Daphne Cornell to commemorate her work as a councillor and as a tenant representative over many years. Cornell Court was planned as a ground breaking development of 73 units for independent living and the first tenants would be in occupation from September 2018.

She reported completion of the first phase of development at Reynolds Court, Newport.

C30

MEMBERS QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND CHAIRMAN OF COMMITTEES

Councillor Dean said that he had read the village green skip system was being abandoned and asked the Leader whether this was correct.

The Leader replied that no decision had been taken on the future of this service which was highly regarded.

C31

DISCRETIONARY RATE RELIEF POLICY 2017/18 AND BUSINESS RATES REVALUATION RELIEF – RECOMMENDATION FROM THE EXECUTIVE

Councillor Howell presented two separate reports with recommendations from the Cabinet dealing with the consequences of the Government's national revaluation of all commercial premises. The first report dealt with the new discretionary reliefs available to support small businesses and local pubs, as well as revised criteria for local rural rate relief. The second report set out the details of transitional relief funding allocated to local councils to enable a business rates relief scheme to be designed to support local businesses facing the steepest rises.

Councillor Howell said he proposed to take the two sets of recommendations together and proposed accordingly.

The cap for the payment of business rates had risen to allow 100% relief for all businesses with a rateable value of less than £12,000. Councillor Howell confirmed this meant that 454 local businesses had been taken out of business rates liability altogether and a total of 1,101 local businesses now paid no business rates at all. In contrast, the increase for most high street businesses averaged 16%.

The discretionary rate relief policy in place since 2014 now needed amending to include the new discretionary reliefs and proposed amendments to current reliefs. Many local pubs had been forced to close and the new reliefs would provide support for those with a rateable value below £100,000. He confirmed that the reliefs had been framed so that none of the previous recipients of relief would suffer any loss of relief.

As for the revaluation relief fund, businesses under £20,000 in rateable value were protected by the main transitional relief to a 5% cap and so did not need to be included. The relief fund excluded national and regional chains and was awarded by application only on a decreasing scale over three years. Councillor

Howell gave a commitment that the Council would continue to support rural businesses.

RESOLVED to approve:

- a) New discretionary rate reliefs Supporting Small Businesses Relief and Pub Relief as set out in the main report and in appendix A;
- b) Revised criteria for Local Rural Rate Relief
- c) The Revaluation Relief Funding Scheme, also as set out in the report

C32

CARVER BARRACKS SPORTS PROJECT – RECOMMENDATION FROM THE EXECUTIVE

Councillor S Barker left the room before the consideration of this item and took no part in the discussion or decision.

Councillor Ranger presented and proposed the recommendation of the Cabinet to allocate the sum of £500,000 to Carver Barracks to enable match funding for the provision of an eight lane running track. He said the Council had made a previous commitment to grant this money to the Army as part of a project driven forward by Councillors Knight and Artus intended to strengthen links with the armed forces.

There had been a pause in the process after the Government announced closure of the facility at Carver Barracks by 2031 but the Army was now in a position to confirm the match funding arrangements. The grant would be funded from the Strategic Initiatives Fund.

In the event the facility did close early, a refund of £35,000 would be offered for each complete year the facility was unavailable using 2031 as the baseline.

Part 2 of the recommendation related to the terms of the grant. The Cabinet had authorised delegated powers to agree the terms. There would be a two-party agreement with no ongoing costs for maintenance if standards were to slip.

Councillor Ranger said that the development of a new running-track facility was in support of a clear vision for a sports strategy and would provide a pocket of excellence within the district. The provision of sports facilities had not kept pace with demand. He expected new sports clubs to spring up to make use of the Carver Barracks facility. The provision of new sports facilities would feature as mitigation in approving future housing developments.

There would be an initial meeting tomorrow to clarify the heads of terms.

Councillor Artus seconded the motion. He said that Councillor Knight had been working on a sports village for some while and he had pursued the project himself during his time as Chairman. It was important to achieve value for money. The MoD had indicated it would sell Carver Barracks by 2031. The Army had in place match funding from the LIBOR fund but this required a funding commitment from the Council to safeguard the money. The MoD had agreed to refund a sum for each year the barracks closed earlier than that date.

The running track was a bold concept from which the Army and the community would benefit. It would cost from £6-12m to build from scratch. The Army had committed to using the facility but it would be widely available to local sports clubs at weekends and during evenings. The Army had not turned anyone away and more than 5,000 people had used the existing sporting facilities in the past year.

He urged the Council to support the community covenant for the provision of a joint facility.

Councillor Dean said that he welcomed what he had heard. However, this was the first time a formal proposal had been made to members and the report included very little detail. The evidence needed on which to base a decision was lacking. For example, there was hardly any detail in the report about potential use of the running track.

He then proposed the following amendment:

“Council:

- 1. Notes the request from Cabinet to endorse a grant of £500,000 towards a running track project at Carver Barracks*
- 2. Welcomes the potential opportunity for continued partnership working with the Army at Carver Barracks and to expanding the facilities; it recognises that there would be public benefits were such facilities to be available in the district for use by the public*
- 4. Is not satisfied with the level of completeness of the report that has been put before it to justify the expenditure by Cabinet. In particular, the absence of sound, quantified evidence of public demand and how access to the facility would be managed to maximise the public benefit should be presented in the form of a business plan*
- 5. Therefore requests that Cabinet delays making a grant payment until further evidence has been brought forward for consideration. Council requests that the proposal be reviewed by the scrutiny committee process with the aim of ensuring that a final decision is made by Cabinet against a fully informed and documented case.”*

The amendment was seconded by Councillor Loughlin.

Councillor Knight said she reluctantly agreed that the report before members was very poor indeed. It pinpointed the need for more interaction between officers and ward councillors. As for the comment this was the first presentation to members, she said the subject had been done to death. Therefore, whilst accepting Councillor Dean's criticism, it was necessary to look at the bigger picture. The Army had supplied enough information to enable a decision to be made. If a decision was not forthcoming by the end of the month there was a real risk the project would be lost. She asked members to bite the bullet to enable a jewel in the crown to become reality by not supporting the amendment.

Councillor R Freeman said that he agreed with both of the speakers. The argument had been thinly put together. Councillors deserved a better standard of reporting. The Army was good at organising and the integrity of the people

involved was unquestioned but a better quality of information should have been available to members.

Councillor Morris said she hoped the running track would become a reality in the near future. The Council should support the project financially as it was ready to go and deliverable.

The Leader encouraged members to reject the amendment. The proposed facility would confer health and wellbeing advantages that would endure for a long time. The current provision of sports facilities was not good enough to serve the needs of the population. Useage of Carver Barracks was not an issue as 7,000 civilians and 27 clubs were using existing facilities already. The case for the running track was well proven and must now be progressed.

Councillor Loughlin expressed scepticism that 7,000 people from a population base of 85,000 provided good evidence of public demand. A proper business case was first needed to aid members in making the decision. She asked whether it was intended to charge users a facility fee.

Councillor Ranger said the fees structure would be for the Army to decide as it was not our facility.

In response to this comment, Councillor Loughlin asked whether the Council would get any return for the £500,000 investment.

The question was referred to Councillor Artus who stated that the running track would be owned by the Army and they would need revenue to maintain the facility. The Council would have no liability for maintenance. Councillor Knight added that the managing body would operate on a not for profit basis.

Councillor Loughlin then asked whether there would be any return on the ratepayers' investment.

The Leader commented that the community would receive considerable benefit from the availability of what would be a spectacular feature of the district, and would have no liability for maintenance costs. The meeting should now vote on whether to proceed.

The amendment was put to the vote and defeated with only two members voting in favour.

Before the substantive motion was put to the vote there was further discussion during which Councillor Loughlin made the point that she was strongly in favour of the project in principle but the report left a great deal to be desired. She asked whether, in the event the Army left Carver Barracks altogether, it would be possible to negotiate the retention of community use.

Councillor Ranger accepted this was a valid point to raise and said it would be a matter for further discussion with the Army. Best endeavours would be used to ensure the facilities could be inherited in some way.

Councillor Loughlin then said the debate had given her further confidence in the project and she would support it.

The substantive motion was put to the vote and carried overwhelmingly.

RESOLVED to endorse the decision of the Cabinet to allocate the sum of £500,000 to enable match funding for the provision of an eight-lane running track at Carver Barracks

Councillor S Barker returned to the room before the discussion of the next item.

C32

ESSEX POLICE AND CRIME PANEL – SUBSTITUTE MEMBER

Essex County Council had indicated that a substitute member was required to serve on the Essex Police and Crime Panel.

RESOLVED to appoint Councillor Ranger to serve as the substitute member on the Essex Police and Crime Panel

C33

REPORT FROM THE PUBLIC ENGAGEMENT WORKING GROUP – UTTLESFORD YOUTH COUNCIL

The Council received a report from Councillor Lemon updating members on the progress made towards setting up a youth council in Uttlesford. A shadow youth council comprising some 25 young people between the ages of 13 and 19 had now met five times and had established a number of working groups dealing with topics as diverse as mental health, transport and the future of Walden School.

The working group he chaired would continue to work towards the full realisation of a fully established and elected youth council and would submit final recommendations for the adoption of a constitution and an election process. If adopted by the Council the first elections would take place later this year. This would be necessary to replace the present shadow membership as most of the young people concerned would be attending university.

Councillor Lemon said that he was impressed by the keenness of the young people to discuss matters of current concern and hoped to be able to create a means for the youth council to work directly with the Council.

The Chairman then welcomed Adam Langworthy and Charles Yallup as members of the shadow youth council. They both spoke to the meeting in turn and expressed gratitude to the Council and the Public Engagement Working Group for the encouragement given to them and other members of the youth council in the work being carried out.

The Chairman thanked them for their contributions and wished them luck with their university studies.

C34

DELEGATION TO THE GOVERNANCE AUDIT AND PERFORMANCE COMMITTEE

Councillor Oliver presented a recommendation to delegate for decision to the Governance, Audit and Performance Committee the outcome of Community Governance Reviews and statutory and interim reviews of Polling Districts and Polling Places. The work previously undertaken by the Electoral Working Group had been subsumed into the remit of the rebadged committee.

RESOLVED to approve delegation to the Governance, Audit and Performance Committee of the following matters:

1. Carrying out and giving effect to the outcome of Community Governance Reviews of parish boundary and electoral arrangements, including the power to make orders for creating, abolishing or altering parishes, grouping or degrouping parishes, or dissolving parish councils
2. Carrying out and giving effect to the outcome of statutory and interim reviews of polling districts and polling places

C35

LOCAL GOVERNMENT ASSOCIATION CORPORATE PEER CHALLENGE

The Chief Executive reported the findings of the LGA's Peer Challenge report and the action plan developed to address the key recommendations. The Peer Challenge process had provided a robust external health check for the Council. In many cases it had validated existing practice.

The Peer Challenge had found there was a great deal of commitment and pride within the workforce but there was scope for improvement, especially in communicating effectively both within the organisation and outside, and in partnership working. The financial problems in 2007 were still having some impact but the Council was in a strong and stable position. However, the Council could be strengthened through the creation of a member development strategy.

The team had visited over a three day period in November 2016. The final report had then been received in the following May. The action plan to address the key recommendations was attached as an appendix to the report as well as the Peer Challenge feedback report. There would be a follow up visit arranged by the LGA to review progress.

The Leader asked members to note the findings and key recommendations set out in the report. He also referred to the executive summary and emphasised linkage to the objectives in the Corporate Plan.

In his view the Peer Challenge had proved a very worthwhile exercise, providing a compelling narrative for the journey to come. He highlighted the need for better communication and he had asked the Public Engagement Working Group to explore options for establishing a member charter.

In conclusion, he commended the action plan to the meeting for adoption.

In welcoming the report, Councillor Dean referred to a number of aspects of the action plan, including intended work with the LSCC to progress the Core's offer including its liveability strengths; the lack of a member development strategy, in contrast to the position at Braintree District Council; the intention to review the LSP structure; and the plan to review grants to consider match funding criteria, and to develop SLAs. In relation to the latter point he asked whether new rules for grant allocations had been agreed. He expressed frustration with some of the jargon used in the report.

The Leader said in reply that the Council would continue to be an active partner in the LSCC. In regard to member development he agreed the Council should now simply get on with it. He had initiated a programme of reports to Council from the various LSP working groups and this had added to understanding. Finally, in relation to grants, he said the system in place must represent good use of taxpayers money.

The Chief Executive apologised for the use of jargon in the action plan. The Core group consisted of Broxbourne, East Herts, Harlow, Epping Forest and Uttlesford. The reference to liveability simply meant strengthening our place within that area. The LSP chairs had now met providing an opportunity to work with the voluntary sector. Finally, a review of the grants process had already started with a view to identifying opportunities for match funding. However, the move to SLAs had not yet started.

RESOLVED to note the findings and key recommendations from the Local Government Corporate Peer Challenge and agree the action plan addressing the key recommendations

C36

TILTY MILL REPAIRS NOTICE

Councillor S Barker presented a report recommending service of a repairs notice on the owners of Tilty Mill to secure repairs to bring the Grade II* listed mill building back to its condition at the time of listing and to arrest further deterioration of the fabric and structure. The building had been on the Council's Buildings at Risk Register since 1990.

As stated by Mr Parkinson at the beginning of the meeting, Tilty Mill had now been added to Historic England's Heritage at Risk Register so that the Council was eligible for grant funding to recover up to 80% of the costs of managing this process.

Tilty Mill was one of 30 buildings on the at risk register and the Council had a duty to preserve the historic listed building. Members agreed with this analysis.

RESOLVED to:

1. Serve a Repairs Notice on the owners of Tilty Mill, to secure repairs to bring the building back to its condition at the time of listing to arrest further deterioration of the fabric and structure, unless reasonable steps were taken to carry out essential repairs; and
2. Delegate authority to the Assistant Director of Planning to prepare and serve the repairs Notice and associated Schedule of Repairs

and take all reasonable steps connected to the preparation, service, defence and enforcement of the Repairs Notice short of instigating compulsory purchase

C37

EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED that the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972

C38

REQUEST BY ASPIRE FOR BUILDING REFURBISHMENT FUNDING

Councillor Howell introduced discussion of this item as referred to the Council for decision by the Cabinet. The Cabinet had recommended approval of a loan of up to £2.75m to be made to Aspire (CRP) Ltd to enable refurbishment work to proceed on the Newnham building at Chesterford Park. Councillor Howell set out the terms of the loan and said that it had been part of the original debate about the purchase of shared ownership at Chesterford Park.

In seconding the motion to approve the funding arrangement, Councillor Chambers confirmed that the £2.75m loan had been part of the original debate.

Councillor Knight said that she had not been present at that meeting and she would be surprised if members had been aware of the fixed rate terms.

Councillor Loughlin said that a lot of work had already gone into this project. It had been agreed for example that no animal experimentation would be part of the research carried out. It was an excellent proposal and it was essential to progress it.

Councillor Redfern said that the establishment was within her ward. She had visited the site and spoken to the tenants. The unit in question needed considerable investment to enable the vital research on diabetes to continue.

Councillor Hicks said he found it extraordinary that, having taken the decision to set up Aspire and move into the commercial market, some councillors were considering backing off at the first hurdle. It was necessary to put the unit into a good saleable condition and the Council should proceed wholeheartedly.

Councillor Knight said she resented some of the comments that had been made. She was not against refurbishing the building and was in favour in principle but had strong reservations about the way it was being done.

Councillor Asker thanked Councillor Knight for her contributions. She asked whether £2.75m was all or half of what was needed.

The Leader commented that the agenda clearly indicated the existence of a part 2 report and the nature of the item. Having made the investment it was important to utilise the asset to achieve the anticipated returns. Clear financial

advice had been obtained before members had been asked to make any decisions.

Councillor Howell then summed up the debate. He said he could not understand why any member could claim to be unaware of the precise nature of the decisions needed to progress the Council's investment in Chesterford Park. The funding decision being requested was a core part of the investment. It was always apparent that members would be asked to make that decision in due course. With the exception of Councillor Gerrard every member should have been aware of that fact.

There was as yet no tenant for the Newnham Building. It was necessary to fund the refurbishment to obtain value from the investment. It was not an instant decision. Advice had been obtained from Arlingclose. The investment would enable cancer research to continue. It was not possible to make half an investment; we were either in or out. He asked for the vote to be taken.

The motion was put to the vote and carried by 23 votes in favour and three votes against.

RESOLVED to approve the payment of a loan of up to £2.75m to Aspire (CRP) Ltd to enable the redevelopment of the Newnham building at Chesterford Park, on the same terms and repayment date as the original loan, and delegate authority to the Assistant Director – Resources to determine the most appropriate method of funding, in consultation with the Finance Portfolio Holder

The meeting ended at 9.55pm