

COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 8 OCTOBER 2019 at 7.30 pm

Present: Councillor R Freeman (Chair)
Councillors A Armstrong, H Asker, G Bagnall, M Caton, A Coote, C Criscione, C Day, A Dean, G Driscoll, D Eke, J Evans, P Fairhurst, M Foley, A Gerard, 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, E Oliver, R Pavitt, L Pepper, N Reeve, G Sell, M Sutton, M Tayler and J De Vries

Officers in attendance: D French (Chief Executive); B Ferguson (Acting Principal Democratic Services Officer) and S Pugh (Assistant Director – Governance and Legal Services).

Also Present: P Allington, D Brett and E Gildea (Public Speakers); T Birkbeck and M Wolter (Youth Council); A Brown and J Derby (Essex Association of Local Councils).

C36 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Barker, Merifield and Storah.

C37 PUBLIC SPEAKING

Mr Brett made a statement regarding the need for sporting facilities across the District, specifically in the Stansted, Takeley and Elsenham areas. Mr Allington made a statement regarding the Administration's environmental policy. Mr Gildea spoke on Item 3 the petition 'Increasing Electric Vehicle Charging Points'. Summaries of their statements are appended to these minutes.

C38 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were approved and signed by the Chairman as a correct record, subject to the following amendment:

C32, paragraph 3: "Councillor Dean said officers needed certainty from the Administration, particularly regarding the drafting of next year's budget which would be approved in November" to 'Councillor Dean said officers needed certainty from the Administration, *particularly as preparatory work on next year's budget would begin in September.*'

Councillor Gerard thanked the Chair for following up his request to ascertain costs of Essex County Council's Library Services consultation.

C39 PETITION: INCREASING ELECTRIC VEHICLE CHARGING POINTS

Mr Gildea made his statement to Full Council and presented the validated petition to the Chair.

Councillor Gerard proposed to increase the number of electric charging points in Uttlesford to the recommended 55.

The Chair said this would not be debated tonight but he looked forward to a future debate.

C40 PRESENTATION OF NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC) FOUNDATION AWARD TO SAFFRON WALDEN TOWN COUNCIL

Amanda Brown and Joy Darby of the Essex Association of Local Councils (EALC) presented the NALC Foundation Award to Councillor Coote, Mayor of Saffron Walden Town Council (SWTC), who accepted the award on behalf of SWTC. Members were briefed on the achievements of SWTC, including the town's status as one of the top 500 tourist destinations in the country and how it was the first local council in Uttlesford to win the prestigious award. Lisa Courtney, the Town Clerk, said good governance came from the excellent, proactive leadership of the town councillors and the hard work of staff.

C41 CHAIR'S ANNOUNCEMENTS

The Chair provided an update on his activities since the last meeting. Specifically, he referenced his visit to Copped Hall, Epping, a Georgian Mansion currently under restoration by volunteers. Members were also informed of the forthcoming acoustics work which would be undertaken on the Council Chamber, perhaps over the Christmas period.

C42 YOUTH COUNCIL

The Chair brought Item 12 forward in proceedings for the benefit of those present.

Councillor Fairhurst presented the report to Full Council. He invited the Chair and Vice Chair of the Youth Council, Councillors Wolter and Birkbeck, to address Members.

Councillor Wolter said the aim of the Youth Council was to give a voice to young people in the community. After two years of hard work she said the Youth Council were gaining recognition and were being listened to. The Youth Council tackled serious issues affecting young people and she was proud of what the members had achieved since its establishment.

Councillor Fairhurst invited Youth Councillor Wolter to join Members and take a seat.

In response to member questions, Councillor Fairhurst said the Youth Council's intention from the outset was to be inclusive and attract members from further education, technical colleges and youth groups.

Youth Councillor Wolter said the Youth Council understood the need to be inclusive and would reach out to youth centres, sporting clubs and activity organisations to diversify their membership.

RESOLVED to note:

- i. The Youth Council has accepted the invitation to have a permanent nonvoting representative at Full Council meetings in order to participate in debates. The youth council will select a representative for each meeting taking into account content of the agenda.
- ii. The Youth Council has agreed to a standing invitation for District Council Members to attend Youth Council meetings and participate subject to the terms and conditions of the Youth Council constitution.
- iii. The Youth Council has accepted the offer for nominated District Council Members to support and assist the Youth Council in their engagement with local schools and the wider community to recruit members to the Youth Council and promote the democratic process.
- iv. Sufficient officer time will be allocated to the Youth Council to enable it to meet its objectives within existing resources.

C43

REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE

The Leader congratulated SWTC on its recent award and welcomed the Youth Council members to Full Council.

He said the Administration was working on a number of priorities and highlighted the improvements being made to the democratic process, such as the establishment of the Governance Review Working Group, which was reviewing the current governance model in place, and looking at potential alternative systems. Furthermore, Cabinet had been enlarged and the number of Topic Leads had been expanded to increase inclusivity and utilise the great deal of enthusiasm Members of the Administration had to offer. The Planning system was another area under review and changes had already been implemented to increase public speaking time at Planning Committee. Governance improvements to the Council's investment process were underway and the proposed Investment Board would be meeting later in the month to discuss potential opportunities. A working group had also been established to tackle the issue of climate change and the Council had declared a climate emergency at its previous meeting. Finally, the Leader said the Inspector's report on the proposed Local Plan was expected imminently. Development Boards and local forums

would be setup for each of the proposed Garden Communities to allow further input from the local communities affected.

Councillor Lees, Portfolio Holder for Housing, Health and Wellbeing, provided an update on the housing of refugees in the District through the Essex Resettlement Programme. Since October 2017, the Council had housed five families within the District. She said the Council were committed to playing their part in the Government's plan to resettle 50 families across Essex.

Councillor Lemon expressed his support for the scheme and said that two families who had been housed locally had settled in well.

Councillor Light updated Members on her portfolio responsibilities for Education, Libraries, Culture and Heritage. She said a successful STEM event had been held at the Council Offices with the help of Councillor Luck and she was looking into improving the availability of adult learning courses across Uttlesford. She said she also had ambitions to establish a Culture Steering Group with the aim of holding an arts festival next year, and would be working with Saffron Walden museum in the hope of displaying exhibitions in other parts of the District.

Councillor Eke updated Members on his portfolio responsibilities of Stansted Airport, Infrastructure and Transport. He said he had met with Councillors Bentley and Mitchell of Essex County Council (ECC) to explore the synergy between Uttlesford and ECC on the matter of transport. He said there was a need to tailor transport services to the rural needs of the District and this approach was supported by ECC. He had also met with Abellio, a leading operator of transport services in the region, to discuss future capacity in light of the Local Plan and Stansted Airport expansion of passenger numbers. He had been in discussions with Network Rail regarding line capacity and with Sir Alan Haselhurst regarding the high accident rate on the M11. He said work would start next year on Junction 7, which in turn could have a positive impact on Junction 8. In terms of highways, he had raised the issue of potholes with Councillor Bentley and how the system of repairing roads was an inefficient process. He said Uttlesford's Cycle Strategy had not progressed since its approval in 2014, due to the stipulation of Essex Highways that cycle paths had to be of a certain width. Space was limited due to the medieval infrastructure found across towns and villages in Uttlesford and this arbitrary measure would need to be changed if the scheme was to move forward. He added that S106 monies had been set aside for cycle improvements which had not been spent and he was meeting with relevant parties to utilise these funds. He said he had been in talks with Stansted Airport, with particular regard paid to the Stansted Area Transport Forum, which raised monies through a parking levy that could be used to fund transport services for the District, as well as bus services for Airport staff from further afield. The issue of flyparking around the Airport was also being looked at and he would be inviting North Essex Parking Partnership to a Forum meeting. He wanted MAG to release resources and take enforcement action to tackle the problem.

In response to a question asked at the previous meeting, the Leader highlighted the planning appeals report contained in the agenda pack. He said none of the applications that had been taken to appeal since 2 May 2019 had been resolved. He said he wanted a cooperative planning process, with members and officers working together. Furthermore, a number of applications that had been refused against officer recommendation prior to the local elections had been justified, as the appeals had been turned down.

Councillor Khan asked whether the Executive were in receipt of the minutes taken at Aspire Board meetings. He said this was very important to the governance arrangements surrounding the Council's investment arm and it would be wise to allow Council sight of these records.

The Leader said he was not, but this was a good point on governance and it would be looked into.

In response to a question regarding Brexit preparations, the Chief Executive said two bulletins on the matter had been sent to members but she would recirculate this information in the coming days.

In response to a question regarding the development of a new Corporate Plan, the Leader said his Administration did not want to rush what was an important piece of work. Councillor Fairhurst added that whilst the budget was being set there was a time window in which the Corporate Plan could be produced.

In response to a member question, Councillor Eke said Stansted Airport would be invited to send a representative to the next Uttlesford Transport Forum.

Councillor Sell requested that at future meetings each Cabinet Member produce written reports to update Full Council on their respective portfolios.

C45

COMMERCIAL STRATEGY

Councillor Fairhurst presented the report on the Council's proposed Commercial Strategy. He said the Council had no choice but to look for alternative revenue streams through investment opportunities, due to the reduction in central Government funding. The real question facing members related to governance and how decisions regarding investment opportunities were made. He said it was important that a structure was in place which minimised risk and encouraged inclusive decision making. To this end, an Investment Board would be established to explore investment opportunities and report back to Members. The Board would also be tasked with producing an Investment Protocol for Cabinet's consideration, which would set the ground rules to allow proper governance to take place.

In response to a question regarding the two Independent members who would be appointed to the Board, Councillor Fairhurst said the Board would interview and appoint external experts who understood the investment environment and who would add diversity to the process.

In response to a question related to decision making process, Members were informed that the Investment Board would consider investment opportunities and then make recommendations to Cabinet who would take the final decision.

Councillor Caton expressed a number of concerns relating to a lack of scrutiny, minimal checks and balances and risk sharing throughout the decision making process. Furthermore, no income generation or green targets had been set in the Strategy. He added that having officers on the Aspire Board of Directors would lead to a conflict of interests. He said this was not good governance and would be voting against the proposal.

In response, Councillor Fairhurst said he agreed with many elements of Councillor Caton's statement. The primary role of the Commercial Strategy was to empower the Investment Board, which would then set in place governance arrangements that would tackle the issues that had just been raised. The Investment Board had to be approved at this meeting for that to take place. He said the Strategy was a living document and would be amended as necessary to create the required structure to enable good governance. The role of Scrutiny would be critical and he would be attending the next Committee meeting at the invitation of the Chair. He said the Commercial Strategy before members was a step in the right direction of good governance, but it was certainly not the whole solution. The Strategy would evolve but this required the establishment of the proposed Investment Board.

Members discussed deferring the vote on the Commercial Strategy until further work had been done to improve the governance arrangements surrounding the Council's investment decision making process.

The Leader said the Council was in a position whereby it needed to make investments to ensure public services continued. Members did not have the luxury of time, investments were required to fund Council services.

The Chief Executive advised members that the Commercial Strategy was an amended version of the approved Investment Strategy, with the principal change being the establishment of the Investment Board. If members rejected the Commercial Strategy, the Investment Strategy would still remain in place which, in essence, was the same strategy.

In response to a request from Councillor Sell, Councillor Fairhurst made an undertaking to bring back a revised Commercial Strategy to the next meeting if the Strategy before members was approved tonight.

RESOLVED to approve the Commercial Strategy.

C46

LOAN TO ASPIRE (MRH) LTD

As the meeting had passed the two hour mark, the Chair asked Council whether they were willing to continue. Council gave its consent.

Councillor Fairhurst presented the report outlining an opportunity to acquire 10 student accommodation apartments in Cambridge through the Council's wholly owned subsidiary Aspire (MRH) Ltd. He said whilst this had not been formally considered by the Investment Board, as it had not been established at the time, the proposal had been scrutinised by prospective members.

Councillor Gerard said this represented a good opportunity as diversification of the Council's investment portfolio was good practice and minimised risk.

Councillor Criscione said as a prospective member of the Investment Board he had seen the proposals and was confident that this investment opportunity was a good one. He would be supporting the recommendation.

Councillor Khan said he had been sent the proposals regarding this investment opportunity but had not responded as he felt due process had not been carried out. He said such decisions required a formal governance structure to ensure the decision making process was transparent.

Councillor Fairhurst said governance had not been comprised as the decision had been brought to Council, in view of Members and the public.

RESOLVED to endorse the purchase and loan and to authorise the necessary borrowing.

The meeting ended at 9.45pm.

PUBLIC SPEAKING

Mr Brett

Mr Brett said the areas surrounding the villages of Stansted, Takeley and Elsenham were in great need of community sports facilities. The possibility of promotion for Stansted Football Club had led to a situation whereby the club needed to develop its ground to meet league requirements, but was held back due to a lack of funds. Investment was also required for the shared facilities at Hargrave Park, Stansted to ensure cricket and football club activities could continue. He said the lack of wealth in the area was demonstrated by having the highest rate of free school meals in the District and these areas needed investment the most to create opportunities. He added that investing in facilities in Stansted would be cost effective in comparison to the Council's commitment to funding the Carver Barracks Running Track, or the 3G football pitches proposed in Saffron Walden. He said in Elsenham improvement was required for facilities used by both the football and cricket clubs. He called on the Council to establish modern football and cricket pitches across Uttlesford that benefitted all, not just the wealthiest.

Mr Allington

Mr Allington, of the Uttlesford Green Party, congratulated Cllr Lodge and the Council for their declaration of a Climate and Ecology Emergency at the previous meeting. The direction of travel was a positive one as demonstrated by the establishment of the Energy & Climate Change Working Group and he looked forward to implementing the changes required to create a net-zero carbon policy by 2030. He also welcomed the recent planning decision which protected the land on de Vigier Avenue. He said this was an important step in keeping Uttlesford green and protecting land for the purposes of rewilding. Going forward, the Council had to guard against box ticking and ensure that the necessary infrastructure was in place to allow all residents to live environmentally sustainable lives. He urged the Council to hold firm on Stansted Airport expansion and the Local Plan. Reports on air quality had to be coupled with a common sense approach, particularly in cases where pollution was evident and data sets were unreliable.

Mr Gildea

Mr Gildea, of the Green Party and St Mary's Church Eco Team, highlighted the recent Friends of the Earth report that rated Uttlesford District Council as poor in terms of environmentally friendly initiatives. Tree cover, commuter journeys by public transport and the insulation of homes were all areas of concern. He said an opportunity had been missed by the previous Administration as solar panels should have been installed on the new buildings housing B&M and the Costa Coffee complex. He estimated that over 100 panels could have utilised to provide power to the neighbouring community. He was delighted by the refusal of the planning application at de Vigier Avenue, as the woodland provided a haven for biodiversity in the town, but he had noticed that a new neighbouring development had not installed any electric vehicle charging points. A line in the sand had to be drawn and to this end he was pleased to present the petition to

increase the number of electric vehicle charging points across the District.
Electric cars were the future and he urged the Council to not be left behind.