

COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on MONDAY, 16 DECEMBER 2019 at 5.30 pm

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

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

Public Speakers: V Veal, L Yellowlees, E Gildea, C Dodge and P Muir.

C49 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors LeCount, Loughlin and de Vries.

Councillors Foley and Tayler declared non-pecuniary interests as members of Stop Stansted Expansion (SSE).

C50 EXCLUSION OF PUBLIC AND PRESS

The Chair said he would bring the Investment Opportunity item forward in proceedings to give Members the appropriate time to discuss the item.

RESOLVED that under section 100I of the Local Government Act 1972 the public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 part 1 of Schedule 12A of the Act.

C51 INVESTMENT OPPORTUNITY

The Leader of the Council outlined the report. He said reduced funding from central government had put pressure on the budget and if the Council was to continue to provide the current level of services, additional income needed to be generated through investment opportunities such as this one. The investment project came in two stages. The decision to proceed with Phase Two of the investment would be brought for Council's consideration during the 2020/21 financial year.

Councillor Khan said he agreed that additional income was needed to maintain council services but the report inadequately informed Members of the risk management measures that would be implemented to safeguard the Council's interests. Furthermore, the Investment Board had only heard indirectly from independent investment advisors, and legal advice had only been received the night before. This was a matter of procedure and governance and he asked for the decision to be deferred until further information was provided.

Councillor Caton said the report only outlined the "best case scenario." He requested that members be given "worst" and "mid-case" scenarios to assist in their deliberations. More robust procedures needed to be put in place by the Council as a stronger risk analysis was needed before taking such a decision.

Councillor Fairhurst said this was an exciting moment but the opportunity should not be taken on "blind faith". Further information was required before Members could be asked to make a decision of this importance.

Councillor Lees said the investment had to be made to ensure the continuation of council services. Investments, by their nature, were uncertain but Members could only make a decision based on the evidence before them. She said due diligence had been carried out and she supported the recommendation.

Councillor Coote said the governance surrounding the investment process did require improvement, but there was no alternative in the face of budget cuts other than to support this investment opportunity.

Councillor Lavelle said more time was spent on risk management than any other aspect of this investment during the Board's deliberations. He said the risks of such an investment had been considered carefully and effectively.

Councillor Light said she accepted that income would need to be generated through investments but she could not support this opportunity due to the lack of information presented to Members.

Councillor Hargreaves said legal advisors were satisfied with the Council's approach to the investment and such advice had been circulated with members of the Investment Board.

Councillor Khan said he was not anti-investment or risk averse but there was not enough evidence before him to make a decision. He proposed deferral of the item.

The Chief Executive said the debate could be adjourned which, in effect, would defer the item.

Councillor Khan proposed for the debate to be adjourned. Councillor Light seconded and requested a recorded vote.

The Leader said he was perturbed that Liberal Democrat members had numerous opportunities to raise their concerns at the Investment Board but had

waited until Full Council to “kick the can down the road”. The Council would be in financial difficulty if an investment was not made.

Councillor Barker said she agreed and the Council needed to continue down the road of investment to ensure services were maintained.

The vote to adjourn the debate was as follows:

For	Against	Abstain
Cllr Caton	Cllr Armstrong	Cllr Gerard
Cllr Dean	Cllr Asker	Cllr Tayler
Cllr Fairhurst	Cllr Barker	
Cllr Foley	Cllr Coote	
Cllr Khan	Cllr Criscione	
Cllr Light	Cllr Day	
	Cllr Driscoll	
	Cllr Eke	
	Cllr Evans	
	Cllr Freeman	
	Cllr Gregory	
	Cllr Hargreaves	
	Cllr Isham	
	Cllr Jones	
	Cllr Lavelle	
	Cllr Lees	
	Cllr Lemon	
	Cllr Lodge	
	Cllr Luck	
	Cllr Merifield	
	Cllr Oliver	
	Cllr Pavitt	
	Cllr Pepper	
	Cllr Reeve	
	Cllr Storah	
	Cllr Sutton	
Total:		
6	26	2

The motion was defeated: 6 for, 26 against and 2 abstentions.

The Chair moved to a vote on the original motion as set out in the report:

Council RESOLVED:

- i) To endorse the acquisition of Phase 1 of Investment Opportunity 2; and
- ii) To authorise the necessary borrowing as set out in the reports, to a maximum of £32 million.

The Chair adjourned the meeting at 6.15pm. The meeting was reconvened at 7.30pm and the public were readmitted.

Councillor Bagnall arrived at 7.30pm and participated in the remainder of the meeting.

C52 PUBLIC SPEAKING

Mr Veal, Ms Yellowlees, Mr Gildea, Mr Dodge and Ms Muir made statements regarding the Climate Change motion.

C53 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were approved as a correct record.

C54 CHAIRMAN'S ANNOUNCEMENTS

The Chair provided an update on his activity since the last meeting.

C55 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE

The Leader said Members had found themselves swamped with information and a better way of communicating needed to be found. He said future reports from the Executive would be circulated with the Members' Bulletin, rather than being presented at Full Council.

The Leader reported his concern at the previous Essex Leaders' meeting, where it was learnt that no other council in Essex, except Uttlesford, had offered to house refugee families fleeing from the conflict in Syria. He said Uttlesford would continue to rise to the challenge and from personal experience he attested to the positive contribution that refugee families made to society.

With regard to the Local Plan process, the Leader said the Council was still waiting for a letter from the Inspector but, in the meantime, Local Delivery Boards had been established for the North Uttlesford and Easton Park settlements. These Boards would have a key role in designing and delivering the proposed garden communities.

The report relating to Planning Appeals was noted.

C56 QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRMEN (UP TO 15 MINUTES)

In response to a question relating to the lack of public consultation regarding the upcoming budget, Councillor Hargreaves said the consultation had been cancelled as it had been deemed expensive and ineffective.

Councillor Dean said it was unacceptable that an independent and objective consultation on budget proposals had not been carried out.

Councillor Criscione said the new Administration had promised change on issues such as transparency, openness and democracy. He asked if there were any plans to enact these changes and questioned the progress of the new Administration.

The Leader said he had offered various roles to opposition members in an attempt to create an inclusive and different political culture at the Council. He said the Administration could “stand on its own two feet” and highlighted the imminent Corporate Plan as proof of this.

In response to a question relating to the Local Plan process, the Leader said the Inspector’s letter was expected in the early New Year.

In response to a question from Councillor Gregory, the Leader said public notices were published in only one Saffron Walden newspaper for efficiency’s sake but this would be reviewed in the coming weeks.

In response to a question regarding the Stansted Airport planning application, Councillor Merifield said a committee meeting date would be scheduled for January.

C57

LOCAL COUNCIL TAX SUPPORT SCHEME PROPOSALS 2020/21

Councillor Barker declared a non-pecuniary interest as a member of Essex County Council.

Councillor Hargreaves presented the report on the Local Council Tax Support (LCTS) Scheme Proposals 2020/21. He said the LCTS scheme would be set on the same basis as 2019/20 and therefore the contribution rate would be frozen for the fifth consecutive year. The scheme would protect pensioners, disabled people and working age people on low incomes. He added that Uttlesford would have the lowest contribution rate within Essex.

In response to a question relating to the poor response rate to the public consultation despite it being widely advertised, Councillor Hargreaves said it was difficult to carry out an effective survey with such a small sample size. In previous years, the Council had paid significant sums to carry out telephone consultations but had learnt very little from the results. On this occasion, an economic approach was taken and the public could respond online or in paper form.

RESOLVED to approve the Local Council Tax Support scheme for 2020/21 as set out in this report and recommended by Cabinet on 26 November 2019:

I. The 2020/21 LCTS scheme is set on the same basis as the 2019/20 scheme and therefore the contribution rate is frozen for the fifth consecutive year.

II. The Council continues to protect Vulnerable and Disabled Residents and Carers on a low income.

C58 **COMMERCIAL STRATEGY**

The Leader presented the report on the updated Commercial Strategy, which had been adopted at the previous Council meeting on the condition that the strategy would be brought back with governance arrangements included.

Councillor Khan said the strategy required more vision of where the Council would be in five to ten years' time, as well as an officer dedicated to the crystallisation of commercial development.

RESOLVED to approve the revised Commercial Strategy.

C59 **NOTICE OF MOTION RECEIVED: CLIMATE CHANGE**

Councillor Light presented the motion regarding Climate Change to Full Council. Under rule 12.7 of the Council's procedure rules, she moved to alter the motion as follows (alteration in bold):

On 30 July 2019 this Council resolved to declare a Climate and Ecological Emergency, acting now to prevent a climate and ecological catastrophe that will greatly impact our children, grandchildren and future generations. Following this, an Energy and Climate Change Working Group has been established to produce "a bold plan of action that is realistic, measurable and deliverable".

The huge scale of the climate and ecological emergency is becoming ever clearer, as is the need for urgent, bold, ambitious and decisive action.

This Council now resolves:

1. To call on the Cabinet and Climate Change Working Group to develop an Environmental Road Map for approval by Council on February 25, 2020. This Environmental Road Map will have clearly defined actions, deliverables, timelines and costings with definitive, timed and measurable milestones and targets to be met by December 2020 and annually thereafter until April 2023.

2. To ask the Cabinet to include in its budget recommendations for 2020/21 substantial budget provision for the development and implementation of the Council's Energy and Climate Change Strategy and to deliver the Environmental Road Map initial priority actions during the year.

3. That the Environmental Road Map will include at least, but will not be limited to the following priorities:

Tree planting across the district

In partnership with local community and environmental organisations, county, parish councils and other landowners to:

- *Plant a tree per resident in the next year and 10,000 a year after that*
- *Provide a tree for life for every expectant family in Uttlesford*
- *Develop planning policy to require one tree per bedroom to be planted for each new build property in the district, with at least two trees planted to replace any tree which cannot be preserved and is felled.*

Bees and other pollinators

- *Map and protect their habitats and create new ones*
- *Adjust the Council's grass-cutting schedule to encourage the establishment of wild flower meadows on public green spaces and verges*
- *Establish bee hotels and green walls on Council buildings and incentivise residents to set up bee hotels*
- *Plant bee friendly trees and plants and work with residents to encourage planting*
- *Stop using insecticides and herbicides on all Council owned and managed land and encourage residents and local farmers to do the same*

Hedgehogs and habitats

- *Create at least six wilding sanctuaries and corridors and preserve existing ones*

Electric car charging points

- *Install a minimum of 55 points in the next 12 months and 250 by 2023 within a clear strategy to encourage growth of electric vehicles*
- *Develop planning policies to facilitate installation of charging points for new houses*
- *Install charging points at Council-owned properties*
- *Change the Council's fleet to electric vehicles by the end of 2023*

Renewable energy

- *Install solar panels on all council buildings and include sustainable energy sources in its property investments*
- *Ensure that the new Waste Management Depot at Great Dunmow is designed to be an exemplar of new green technologies*
- *Establish a solar farm to offset the Council's energy use*

- *Ensure that any future Garden Settlements are carbon negative through the creation of local wind and solar power generation*
- *Undertake an annual energy audit on usage and sustainability of the District Council's estate*
- *Develop planning policies to require all new builds, including the Council's own developments to have sources of renewable energy fitted and to comply with 'Passivhaus' or similar standards of energy efficiency*

Reduction of single use plastics

- *End the use of single-use plastics in Uttlesford by 2023 and increase recycling*
- *Provide water fountains in towns and villages*
- *Establish a 'Chairman's Charter', similar to the Saffron Walden 'Mayor's Charter' to encourage businesses, community groups, schools and residents to commit to undertake specific actions to reduce or discourage the use of plastics*
- *Set up an online forum to provide information on the reduction of plastic use*

Air Transport

- ***Strongly lobby central government to introduce fiscal and other measures to reduce emissions from aviation so they are curtailed as a growing source of the UK's carbon emissions***
- ***Strongly lobby central government to review current planning guidance to Local Planning Authorities to enable them to consider the Climate Change impacts of aviation when considering future planning applications that fall below the Nationally Significant Infrastructure Project level.***

Council signified consent to alter the motion.

Councillor Light said her motion defined the bold action that was required to combat climate change. It was vital that the Council played its part in ensuring that Uttlesford remained green and the time to act was now. She had been told that the figure of £14 million provided to cost the motion had been calculated as a very rough estimate and no breakdown of costs had been provided. The argument that the 2020/21 Budget had been finalised, and therefore these initiatives could not be implemented in the coming year, was untrue.

The Leader disputed this account and asked for Councillor Light's comment regarding costings to be struck from the record, which the Chair agreed to.

Councillor Light summarised a number of schemes related to the motion such as tree-planting, electronic charging points and renewable energy provision. She said none of these initiatives would come close to costing £14 million. She said that her motion called for provisions to be made in the budget to ensure green schemes were properly resourced and could be delivered. She said the proposed amendment was unnecessary and questioned its purpose.

Councillor Dean said it was reasonable and important to have a “roadmap” to know the Council’s direction in terms of climate change. There was a need to prioritise but it was clear that climate change initiatives would require sufficient resources. He added that the Council were looking at how to make the proposed Garden Communities carbon neutral settlements. He would be supporting the motion.

Councillor Pepper proposed an amendment to the motion as follows (amendment in bold):

The Council notes that immediately upon being elected the new R4U administration created an Environment Portfolio for the UDC Cabinet, in May this year.

It further notes that in July 2019 the Council resolved:

1. To declare a Climate and Ecological Emergency, acting now to prevent a climate and ecological catastrophe that will greatly impact our children, grandchildren and future generations

2. To commit to achieving net-zero carbon status by 2030 and protecting and enhancing bio-diversity by:

- requesting the Cabinet Member for Environment and Green Issues to establish an Energy and Climate Change Working Group of Cabinet***
- working collaboratively across the Council and engaging with individuals, community groups, businesses and other partners in the district, including young people who should have a voice to help shape our future***
- lobbying Central Government to urgently provide funding and implement necessary policy changes***
- producing a bold plan of action that is realistic, measurable and deliverable***
- ensuring significant progress has been made to deliver the action plan by April 2023.***

To advance the Climate Change and Green agenda as quickly as possible the cabinet member then created a cross party Energy and Climate Change Working Group, which was formally established at the next Cabinet meeting on 26 September 2019, and which includes all three Green party Councillors. The Council urges all residents of any party or none to contribute to the Climate Change Working Group.

The Council asks the Working Group urgently to pursue the production of its plan of action and, in drawing up proposals, to consider the feasibility and effectiveness of the initiatives listed below:

Tree planting across the district

In partnership with local community and environmental organisations, county, parish councils and other landowners to

- *Plant a tree per resident in the next year and 10,000 a year after that*
- *Provide a tree for life for every expectant family in Uttlesford*
- *Develop planning policy to require one tree per bedroom to be planted for each new build property in the district, with at least two trees planted to replace any tree which cannot be preserved and is felled.*

Bees and other pollinators

- *Map and protect their habitats and create new ones*
- *Adjust the Council's grass-cutting schedule to encourage the establishment of wild flower meadows on public green spaces and verges*
- *Establish bee hotels and green walls on Council buildings and incentivise residents to set up bee hotels*
- *Plant bee friendly trees and plants and work with residents to encourage planting*
- *Stop using insecticides and herbicides on all Council owned and managed land and encourage residents and local farmers to do the same*

Hedgehogs and habitats

- *Create at least six wilding sanctuaries and corridors and preserve existing ones*

Electric car charging points

- *Install a minimum of 55 points in the next 12 months and 250 by 2023 within a clear strategy to encourage growth of electric vehicles*
- *Develop planning policies to facilitate installation of charging points for new houses*
- *Install charging points at Council-owned properties*
- *Change the Council's fleet to electric vehicles by the end of 2023*

Renewable energy

- *Install solar panels on all council buildings and include sustainable energy sources in its property investments*
- *Ensure that the new Waste Management Depot at Great Dunmow is designed to be an exemplar of new green technologies*
- *Establish a solar farm to offset the Council's energy use*
- *Ensure that any future Garden Settlements are carbon negative through the creation of local wind and solar power generation*

- *Undertake an annual energy audit on usage and sustainability of the District Council's estate*
- *Develop planning policies to require all new builds, including the Council's own developments to have sources of renewable energy fitted and to comply with 'Passivhaus' or similar standards of energy efficiency*

Reduction of single use plastics

- *End the use of single-use plastics in Uttlesford by 2023 and increase recycling*
- *Provide water fountains in towns and villages*
- *Establish a 'Chairman's Charter', similar to the Saffron Walden 'Mayor's Charter' to encourage businesses, community groups, schools and residents to commit to undertake specific actions to reduce or discourage the use of plastics*
- *Set up an online forum to provide information on the reduction of plastic use*

Air Transport

- *Strongly lobby central government to introduce fiscal and other measures to reduce emissions from aviation so they are curtailed as a growing source of the UK's carbon emissions*
- *Strongly lobby central government to review current planning guidance to Local Planning Authorities to enable them to consider the Climate Change impacts of aviation when considering future planning applications that fall below the Nationally Significant Infrastructure Project level.*

Councillor Pavitt seconded the motion and said he was disappointed that this issue had become a matter of contention when all Members were moving towards the same goal. He said the objectives were laudable and some schemes could be implemented immediately, such as the hedgehog and bee initiatives. Other elements in the proposal required proper costing and thought to ensure they were realistic and deliverable.

Councillor Barker said there were a number of inexpensive measures which could be taken, such as the protection of hedgerows, the planting of trees around the district and discussions with Stansted Airport regarding the use of sodium lamps. She said that she would like to see more members of the Administration sit on the Energy and Climate Change Working Group (ECCWG) since the defection of three Members to the Green Group, and that the economic viability of solar panel and 'Passivhaus' standards had to be carefully considered before taking any decisions.

Councillor Criscione said he would support the motion but not the amendment. He said the Council had to be ambitious in the challenge to tackle climate change.

Councillor Driscoll said the ECCWG had looked at the viability of schemes and that the Council could not spend money it did not have.

In response to a question from Youth Councillor Birkbeck, Councillor Pepper confirmed that consultation with young people over climate change had been included as part of her amendment.

Councillor Hargreaves said the original motion was a vague, long list of schemes with no costings attached. This was not the way to get things done and a detailed plan would emerge out of the ECCWG. He supported the amendment.

Councillor Reeve, a member of the ECCWG, said he was passionate on climate change and supported the amendment. He thanked officers for providing information as requested by members of the working group, and cited a number of challenges the district faced, with particular regard paid to the carbon dioxide levels emitted by aviation activity. He said there was much urgent work to do in the challenge against climate change and asked Members to work together.

Councillor Tayler said he was bewildered by the substantive motion; he sat on the ECCWG and had been impressed by the support provided by officers. He said information was being collated to provide the basis for a realistic and viable programme of schemes. He would be supporting the amendment.

Councillor Fairhurst said all agreed on the initiatives outlined in both the motion and amendment, and there was no need for contention. However, he said the initial motion had more edge and set a baseline on which the Council would be judged.

Councillor Caton said he was frustrated that nothing had happened since the climate change motion had been passed in July. The issue of climate change was urgent and the issue needed to be taken extremely seriously.

Councillor Coote said he was disappointed as the motion before Council was a political point scoring exercise. He said all councillors should be working together to tackle this issue.

Councillor Dean said the original motion provided a roadmap to the Council's challenge against climate change; the amendment amounted to a commitment to request money from central government. If there was nothing in the budget, the issue would not be taken seriously. He said he could not support the amendment.

Councillor Foley said the issue of aviation had to be included in whatever motion was passed. He said the airport was the greatest threat in terms of climate change.

Councillor Pepper said the substantive motion would bypass the ECCWG and this work had to travel through the correct channels to ensure informed decisions were made. She said the cross party working group was the democratic means to engage with the issue of climate change.

The Chair called for a vote on the amendment to the substantive motion.

The amendment was carried.

The Chair called for Members to vote on the amended substantive motion.

RESOLVED to:

Note that immediately upon being elected the new R4U administration created an Environment Portfolio for the UDC Cabinet, in May this year.

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Bees and other pollinators

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C60

NOTICE OF MOTION RECEIVED: NORTH ESSEX ECONOMIC STRATEGY (NEES)

Councillor Pavitt presented the motion to Council. He said the purpose of the motion was to request a pause in proceedings before taking the next steps with the economic strategy. He said NEES provided little benefit to Uttlesford and would tie the district's future with Stansted Airport, which was at odds with the climate change concerns expressed during the item before. He said Uttlesford's future should instead be aligned with that of Cambridge, a high wage and tech-driven economy.

The Leader said he was sympathetic to the motion although it was north Uttlesford centric. He said the district had a number of economic partners and the Council could not turn to one area alone.

The Chair said there was insufficient information before members to make a decision and asked the proposer whether he would be willing to withdraw the motion. The motion then could be reconsidered at a later date with additional information on NEES provided.

Councillor Gregory said he was surprised that Members were unaware of NEES but made the point that the strategy would tie Uttlesford to a low wage – high carbon economic approach.

Councillor Pavitt said he was willing to withdraw the motion in light of the lack of awareness regarding NEES.

The motion was withdrawn.

The meeting ended at 9.30pm.