

EXTRAORDINARY COUNCIL held at ZOOM on THURSDAY, 7 JANUARY 2021 at 6.00 pm

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

Officers in attendance: D French (Chief Executive), B Ferguson (Democratic Services Manager), C Gibson (Democratic Services Officer), G Glenday (Assistant Director - Planning), R Harborough (Director - Public Services), J Reynolds (Lawyer) and A Webb (Director - Finance and Corporate Services)

C68 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence. Apologies for lateness were received from Councillor Driscoll.

Councillor Dean declared that he was a paying member of Stop Stansted Expansion (SSE).

The Chair declared that he had previously been a member of SSE.

C69 EXCLUSION OF PUBLIC AND PRESS

Councillor Merifield proposed the motion that was seconded by Councillor Le Count. There was no dissent.

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.

Councillor Driscoll joined the meeting at 6.10 pm.

Councillor Bagnall joined the meeting at 6.15 pm.

Councillor Armstrong joined the meeting at 6.18 pm.

C70 INVESTMENT OPPORTUNITY 12

Councillor Reeve, as Chair of the Investment Board, summarised the report and proposed that the Council supported the recommendations. He said that the

investment opportunity was a strong one that had received support from the Investment Board's Independent advisor. He said that he recognised that there were possible ethical concerns in respect of the tenant's business and that Councillor Khan had agreed to work with him to discuss ideas for the future development of an Ethical Investment Policy.

Councillor Reeve said that the recommendation from the Investment Board had been subject to a review of the credit rating of the parent company being undertaken ahead of the request for Council approval. He said this report had been received and had indicated a very low chance of failure with no reason to expect that the company would default on any of their obligations.

Councillor Lavelle seconded the motion.

Members debated the need to balance the importance of expanding the Council's property portfolio to guarantee investment income alongside certain elements of the work undertaken by the tenant.

Matters raised included:

- The tenant company's business model as well as their involvement with renewables, medical innovations and the space industry,
- values and governance,
- the financial strength of the tenant company,
- the fact that the Council was not investing in the tenant company but was acting as a developer on freehold land,
- the fact that the proposed building would be carbon neutral,
- the specific links between the town of Saffron Walden with the Quakers and pacifist movements, contrasted with links to the military through Carver Barracks,
- the financial restrictions being imposed by Central Government and the need to maintain income streams, and
- personal conscience aversion to certain industries.

Councillor Lavelle, as the seconder of the motion, said that he considered this to be a sound financial investment and that if an Ethical Investment Policy had been in place then this would have been likely to pass the test as it involved investment in land and buildings rather than investment in a specific company.

Councillor Reeve, as the proposer of the motion, summarised the investment opportunity and stated that the Council required sufficient income to continue to provide services.

A roll-call was taken on the motion.

RESOLVED:

- a) To endorse the Investment Opportunity, up to the sum of £38,000,000.
- b) To authorise the necessary borrowing.

The motion was carried 25 for, 8 against and 4 abstentions.

The meeting adjourned at 7.00 pm and re-convened at 7.13 pm.

C71

MEMBER MOTION: STANSTED AIRPORT APPEAL

Councillor Khan presented his motion regarding the Stansted Airport Appeal which had been supported by ten cross-party signatories.

Councillor Isham, as the seconder of the motion, spoke on the motion.

Member discussion took place.

Members sought clarification as to the point at which an amendment to the motion would be taken.

Councillor Coote said that the amendment to the motion should be taken.

The Leader said that Councillor Khan had raised a number of issues that were offered in the amendment to the motion. He asked that the amendment to the motion be called.

The Chair moved forward to the amendment to the motion.

Councillor Evans outlined his amendment to the motion.

Councillor Merifield, as the seconder of the motion, spoke and said she supported moving forward to a Members' briefing.

The Chair asked Members to only speak to the amendment to the motion.

Members spoke both in support and against the amendment to the motion. References were made to Members' briefings previously held.

The Leader said that all questions would be answered in a Members' briefing. He proposed to go to the vote.

Councillor Coote seconded the motion.

There was no dissent shown to the proposal that the question be put to the amendment to the motion proposed by Councillor Evans and seconded by Councillor Merifield.

A roll-call was taken on the amendment.

RESOLVED:

As all Members will be aware, it is unconstitutional for Members to direct officers on legal matters, including upon planning appeals. However it is agreed that it is vital that Members are able to question Council officers

and their representatives fully about the Stansted Airport planning appeal process.

Council therefore calls for a full debate, by way of a further member briefing, allowing for additional full and democratic questioning concerning the appeal process, to take place immediately on conclusion of this council meeting. The briefing shall relate to the current status and process that has been followed by the Council's Defence Team since January 2020 in order that members and officers may engage collectively and fully to further the understanding of all members.

The objectives of such a briefing would be to satisfy the Council of the soundness and objectives of the process to date and henceforth intended.

Furthermore, Council calls on the Scrutiny Committee, at the appropriate time, to consider whether there is a need to initiate a Member-led review and, if so, to engage with the Planning Advisory Service (PAS) or similar body to audit and scrutinise the process which commenced under the previous Administration in 2018.

The amendment was carried 22 for, 9 against and 6 abstentions and became the substantive motion.

Members discussed the substantive motion.

The Chair moved to the vote on the substantive motion.

A roll-call was taken on the motion.

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body to audit and scrutinise the process which commenced under the previous Administration in 2018.

The substantive motion was carried 28 for, 2 against and 7 abstentions.

The meeting ended at 8.43 pm.