

**COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER on THURSDAY, 22 FEBRUARY 2018 at 7.30 pm**

Present: Councillor G Sell (Chairman)

Councillors K Artus, H Asker, G Barker, S Barker, R Chambers, J Davey, P Davies, A Dean, P Fairhurst, T Farthing, M Felton, M Foley, R Freeman, A Gerard, J Gordon, N Hargreaves, S Harris, E Hicks, S Howell, D Jones, T Knight, G LeCount, P Lees, B Light, J Lodge, J Loughlin, A Mills, S Morris, E Oliver, V Ranger, J Redfern, H Rolfe, H Ryles and L Wells

Officers in attendance: Dawn French (Chief Executive), Rebecca Dobson (Principal Democratic Services Officer), Angela Knight (Assistant Director - Resources), Simon Pugh (Assistant Director - Legal and Governance), Adrian Webb (Director – Finance and Corporate Services) and Nicola Wittman (Assistant Director – ICT and Facilities)

**C56 MOTION TO REPLACE THE CHAIRMAN OF STANDARDS COMMITTEE**

**Public Speaking**

Statements were made by the following public speakers, and summaries of statements are appended to these minutes: Susan Perry, Sophie Durlacher, Martin Day, Katy Mendes-Day, Janina Vigurs, Sue Lawson, Justin Rhodes, Sarah Ellis, Doug Perry, Amelie Gerard, Angela Foster and Anthony Robertson.

The Chairman changed the order of the agenda to bring forward the item regarding the chairmanship of the Standards Committee.

Councillor Asker queried why the agenda papers had been reissued with a change to the wording of the motion.

The Chief Executive said the initial circulation of the agenda did not correctly record the wording of the motion submitted by Councillor Rolfe. It had been reissued with the correct wording, which had been submitted by Councillor Rolfe before the deadline.

Councillor Rolfe introduced the motion which sought to replace the Chairman of the Standards Committee, in light of comments Councillor Knight had made in two radio interviews on the subject of harassment. He acknowledged Councillor Knight's contribution as a district councillor for 13 years but said that the comments made were inconsistent with her role of Chairman of the Council's Standards Committee.

Councillor Dean seconded the motion. The issue was not one of freedom of speech but of whether the views she had expressed compromised Councillor Knight's ability as Chairman of Standards Committee to consider complaints of harassment similar to those on which she had commented. In his view the Council should appoint a new Standards Committee chairman.

Councillor Lodge said he spoke on behalf of the Residents for Uttlesford Group, which had a consolidated view. Freedom of speech was an important principle but councillors also had responsibilities. Equality was another important principle. Decisive action was needed, and the Residents Group had submitted its own motion, proposing the establishment of an Equality Committee.

Councillor Harris said she would abstain from the vote on replacement of the Chairman of the Standards Committee as she felt anyone had the right to a private life, and that she considered Councillor Knight to be a victim of harassment herself.

Councillor Jones said he was opposed to the motion primarily due to the way the matter had been handled, and he considered Councillor Knight should have been given the opportunity to meet with people and explain the views she had expressed, to allow a fair hearing.

Councillor Loughlin said she respected Councillor Knight, but was concerned at the comments she had made in public, given her position as Chairman of the Standards Committee. Public perception was the main issue. She hoped Councillor Knight remained on the Standards Committee as she was a valuable member of it.

Councillor Ranger said Councillor Knight's comments had shown a lack of judgment, and she should not chair the Standards Committee.

Councillor Redfern said whilst she had agonised over her response, she had to support the motion in view of the comment Councillor Knight had made that groping did not constitute sexual harassment.

Councillor Knight asked for a short break to organise her papers before speaking.

The meeting was adjourned at 8.35pm for 10 minutes.

On the resumption of the meeting, Councillor Knight said she refused to resign as Chairman of Standards Committee, which should have a balance of views. She felt she had not been given the opportunity to discuss the matter, and felt there had been a hidden agenda with deliberate misinterpretation of her comments, which could have been handled better. She had spoken as an individual; she asked that people get their facts right. Those who had read the entirety of the comments she had made realised she was being quoted out of context, and she had received several apologies from members of the Yummy Mummies group. Facebook had taken down several comments. Her issue was that she considered there had been lobbying behind the scenes with no attempt to establish the truth. She had not done anything wrong, had fought for equality

of opportunity for working women, and was horrified that a group such as the Yummy Mummies seemed to be holding the Council to ransom.

The Chairman asked Councillor Knight to bring her comments to a close.

Councillor Knight said she had been invited to speak and had not finished. She had been contacted by only four colleagues. She had received a number of distinguished awards for her work, including work abroad. She said that if she could not exercise her right to freedom of speech she would never have become a councillor.

Councillor Rolfe, in reply, said the motion was not personal, and was not about Councillor Knight's other abilities. It was not about the Facebook campaign and the Council did not condone any sort of bullying. There was no hidden agenda. The transcripts of the interviews indicated views which were not consistent with the values of the Council which the Chairman of Standards Committee should uphold.

Councillor Rolfe said, with the Chairman's agreement, that he wished the motion to be put with paragraphs 1 – 4 as one vote.

Councillor Knight asked for clarification on procedure, as she had understood that she could make a speech and could then speak to reply to the motion.

The Chairman said he thought Councillor Knight had already made her reply to the motion. Councillor Knight said this was her speech and that she had been told she could speak for five minutes and then be able to reply.

The Chairman said she had already spoken for 10 minutes, and asked that she be brief.

Councillor Knight said she wished to put on record what she had said. She had been quoted incorrectly as saying that sexual harassment was "hilarious", but her comment related to the journalist's article and not to sexual harassment. She had not called the hostesses employed at the Presidents' Club dinner "airheads". Her comment was that if, when told that the job involved dressing in a certain way for a men only event, the women did not realise what sort of job it was, then they had to be "airheads".

The Chairman said the meeting would move to the vote but Councillor Knight said she had been advised that she would be able to speak further in reply. The Chairman said the right of reply meant the right of reply to the debate and that Councillor Knight had already had over 5 minutes to speak in reply.

The Chief Executive said the advice given was that participants could each speak for 5 minutes and that Councillor Knight, as any member could, had a right of reply where there was a factual inaccuracy or to make a personal statement.

Councillor Knight said this was a kangaroo court.

Paragraphs 1 to 4 of the motion were put to the vote, which was carried as follows, with 17 votes in favour, 2 against and 4 members stating that they were abstaining.

RESOLVED that

1. Uttlesford District Council affirms its belief that everyone has the right to be treated with dignity and respect, whether in the workplace or beyond, which includes not being subject to harassment.

The Council notes the wide definition of harassment contained in the Equality Act 2010, which includes unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for a person or violating their dignity.

2. The Council also notes and rejects recent comments made by Councillor Tina Knight in two radio interviews which put forward a much narrower view of harassment, excluding much of the behaviour defined as harassment by the Equality Act, and which appeared to condone the behaviour of guests at the Presidents' Club Dinner.
3. The Council further notes that the Standards Committee may have to deal with complaints of harassment against councillors at district, town or parish level within Uttlesford.
4. In the light of the above, the Council does not feel that Councillor Knight's comments were consistent with the role of Chairman of its Standards Committee and resolves to remove her from this office.

The Council then moved to consider part 5 of the motion and Councillor Rolfe nominated Councillor Jones as the new Chairman of the Standards Committee. Councillor Loughlin seconded the nomination.

RESOLVED to appoint Councillor Jones as Chairman of the Standards Committee.

Councillor Lodge asked the Chairman to bring forward the motion on the establishment of an Equalities Committee for consideration as the next item.

The Chairman said the item would be taken in the order it appeared on the agenda.

Apologies were received from Councillors Anjum, J Freeman and Lemon.

Councillor R Freeman declared a personal interest in relation to any items involving Saffron Walden in that he was a member of Saffron Walden Town Council.

Councillor S Barker declared a personal interest in relation to the budget items, in that she was a member of Essex County Council.

**C58 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 7 December 2017 were received and approved as an accurate record subject to the following amendment:

Minute C50: the surname of Mary Rowe had been spelled wrongly.

**C59 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman thanked members for attending his Civic Dinner, and thanked officers for arrangements made to enable the event to take place at Chesterford Research Park. He had received a letter from the Lord Lieutenant saying how much he had enjoyed the dinner and how important Chesterford Research Park would be as an asset for the Council. He had also attended a civic dinner given by the Chairman of Essex County Council. He had attended a production of The Wizard of Oz at Saffron Walden County High School, which had been fantastic. He reported on a meeting of Essex Air Cadets. He said the meal had been prepared by students at Waltham Forest, and hoped that future students at Stansted Airport College would cater for such events one day.

The Chairman said it was the 100<sup>th</sup> anniversary of women getting votes. He also noted it would be the 100<sup>th</sup> anniversary of World War 1 in November. The Lord Lieutenant had asked him to assist with finding someone with Commonwealth connections to participate in Commonwealth Day on 12 March, so members should please let him know if they knew of anyone.

The Chairman said he wished particularly to thank Susan Kempster, Melanie Maguire and Dan Barden for the help they had given in connection with the Civic Dinner. He said £3,500 had been raised for two charities, Support for Sight and the Essex Wildlife Trust.

**C60 REPORTS FROM THE LEADER AND MEMBERS OF THE EXECUTIVE**

Councillor Rolfe said he had no announcements to make.

**C61 QUESTIONS TO THE LEADER, MEMBERS OF THE EXECUTIVE AND COMMITTEE CHAIRMEN (UP TO 15 MINUTES)**

Councillor Foley asked whether the Leader had had the opportunity to look at the recent CPRE funded report, regarding large numbers of brownfield sites.

Councillor Rolfe said there were not many brownfield sites in Uttlesford, other than at Carver Barracks which had been discussed at Council before and represented an opportunity. He asked that the report be sent to him.

Councillor Dean asked Councillor Ryles as Portfolio Holder for Economic Development how much income the Council would receive in the current financial year 2017/18 in Stansted's Lower Street car park from the owners of The Maltings and private apartments, and would have been the equivalent income from parking charges for those spaces for the years 2018/19 and 2019/20.

Councillor Ryles said the spaces were leased for 21 years, the first two years rent-free. The first rent would start to be payable on 2 December 2018. Residential spaces would pay approximately £12,000 and medical spaces a similar amount.

Councillor Dean said it was a pity the agreement was for zero rent for two years.

**C62      MATTERS RECEIVED ABOUT JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

The Chairman said no matters about joint arrangements or external organisations had been notified to him.

**C63      MEMBERS' SCHEME OF ALLOWANCES 2018/19**

The Chairman of the Independent Remuneration Panel, David Brunwin, introduced the recommendations of the Panel's report on the Scheme of Member Allowances.

He summarised the main three recommendations, the increase of 1% in the basic allowance and special responsibility allowances; the establishing of a special responsibility allowance ("SRA") for members of the Licensing and Environmental Health Committee; and the adoption of a revised scheme for reimbursement of refreshments and travel costs.

He said the Panel had decided not to recommend linking the increase in the basic allowance and SRAs to future local government pay awards but to continue proposing regular modest increases in the level of the basic allowance, as this was seen to be preferable to proposing larger increases less often. Regarding the new SRA for members of the Licensing and Environmental Health Committee, it was apparent that the workload of the committee was not shared equally by all its members. Following an interview with the Chairman of that Committee, Councillor Chambers, a modest SRA was recommended to reflect the commitment and responsibility which the role involved and the need to be

available for unscheduled meetings at fairly short notice. Regarding the changes to the scheme of allowances for travel, meals and refreshments, the recommendations made it clear that hospitality for guests would not be reimbursed, and set limits to the amounts which could be claimed.

Consideration of the introduction of allowances for substitutes was given, but the Panel felt the substitute system needed to have been underway for longer before it could reach any conclusions about payment to the members concerned, and intended to return to this subject.

The Panel also considered the role of deputies, but felt there was no justification for an SRA given that collective decision making tended to operate.

The Panel finally supported the Council's intention to fund all elected councillors as "data controllers" in order to cover their personal liability when conducting Council business.

The Chairman thanked David Brunwin and the panel members for their work during the past few months.

Councillor Chambers also thanked the panel, in particular for taking notice of his comments regarding the Licensing and Environmental Health Committee. It was understood that not all members were able to attend the extraordinary meetings of the Committee, but the introduction of a small Special Responsibility Allowance was a welcome recognition for those members who attended those meetings. He proposed the recommendations.

Councillor Rolfe seconded the recommendations.

Councillor Morris spoke as a member of the Licensing and Environmental Health Committee. She said she had had to return to a day job, and that often could not attend the extraordinary committee meetings, but supported the new Special Responsibility Allowance. However, given that many residents endured budgetary pressures, she could not support the increase in allowances overall.

Councillor Rolfe thanked the Independent Remuneration Panel for their dedication. External review of remuneration was important, and their recommendations should be followed unless there was disagreement. He agreed that allowances should keep pace with public sector pay awards, in a consistent and controlled manner.

The Chairman thanked the Panel for their work.

RESOLVED that  
1 the Council adopts the recommended scheme of allowances for the year 2018/19:

Type of allowance	Recommended £

Basic allowance	5,151 (1% increase to be applied)
Special Responsibility Allowances	As Special Responsibility Allowances are expressed as a multiplier of the Basic Allowance, the recommendation is that all would be adjusted to reflect the proposed 1% increase in the Basic Allowance. No changes are proposed to the multiplier rates to be applied. However, a new SRA is proposed for members of the Licensing Committee, based on a threshold of attendance at Licensing panel meetings (see below for further details).
Chairman	4,121 + civic expenses
Vice-Chairman	2,060
Leader	12,620
Deputy Leader	6,696
Portfolio Holders	6,181
Chairmen of overview/scrutiny and ordinary committees	3,606
Planning Committee Chairman	3,863
Planning Committee members	475.50
Licensing & Environmental Health Committee Chairman	3,863
Standards Committee Chairman	2,060
Main opposition group leader	3,606
Other opposition group leader(s)	2,060
Independent members of Standards Committee	515



Panel members of Independent Remuneration Panel	515
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All other elements of the scheme to remain unchanged; only one SRA to be payable to a member at any one time, being the higher of the two or more allowances to which the member is entitled.

2. A new allowance of £237.75 be paid for Licensing and Environmental Health Committee members, based on a threshold calculated as follows: in a municipal year when at least ten meetings of the Committee take place in a purely regulatory capacity, a payment will be made of a Special Responsibility Allowance to committee members attending at least 50% of those meetings.

(i) The SRA payable in the circumstances set out in 2 above will be the equivalent of three days at the daily rate (calculated by dividing the basic allowance by 65, eight hour days)

(ii) The allowance will not be made to the Chairman of the Committee as a separate SRA is paid to the Chairman, and is subject to the rule that only one SRA is payable to a member at any one time (the higher of the two or more to which a member is entitled).

3. To include in the scheme of allowances limits to the amount that can be claimed for meals and refreshments as set out below, and to make it clear that claims for hospitality for guests are not permitted:

<b>Allowance</b>	<b>Rate</b>
Breakfast	£7.21
Lunch	£9.95
Tea	£3.94
Evening meal	£12.33

## **C64 CORPORATE PLAN 2018 - 2022**

The Leader presented a report on the Corporate Plan 2018-2022, which had been considered at the meeting of Cabinet on 15 February 2018. He referred to the themes of the corporate plan which he trusted all members had read, and the delivery plan as set out in the report.

RESOLVED to approve the Corporate Plan for 2018-2022, containing the Council's vision and priorities.

## **C65 INVESTMENT STRATEGY**

Councillor Howell introduced a report on the investment strategy 2018/19, which had been endorsed by the Scrutiny Committee. He said it was a requirement for the Council to set an annual investment strategy. It was an important first step in setting out a framework.

At this point in the meeting, the Chairman sought the view of members in accordance with Rule 8 as to continuing the meeting in light of Rule 8 regarding the continuation of meetings beyond two hours. A vote was taken.

RESOLVED to continue the consideration of all business on the agenda.

RESOLVED to approve the Investment Strategy 2018/19.

## **C66 BUDGET 2018/19**

Councillor Howell thanked the Director of Finance and Corporate Services and the Assistant Director – Resources for their hard work in producing the budget reports. He said that, subject to the wish of members, this report enabled a single vote to be taken, on all items within the budget, other than the Investment Strategy, which was not part of the budget, and the General Fund Budget and Council Tax item, on which a separate vote was required.

Councillor Howell introduced the budget reports, highlighting the Equality Impact Assessments, and the fact that the reports had been considered by Scrutiny and Cabinet. He emphasised certain points, including the fact that the strategy to pursue garden communities would require ongoing investment. He thanked his predecessor, Councillor Chambers, and put the motion.

Councillor Chambers seconded the motion.

Councillor Morris asked a question regarding taxi and licensing fees, which had been the subject of a consultation, the closing date of which was today. She asked how, in view of the timescale, any representations made during the consultation would be considered, and therefore wished to know how it was possible to include in the budget resolution the increase in fees.

Councillor Howell said the budget would not start until April, by which time the consultation would have concluded, and although no pre-judgment of the decision of the Licensing and Environmental Health Committee on fees and charges was possible, the budget had been prepared on the assumption that the increases in fees were adopted. If it transpired the increase in fees was not adopted, then efficiencies would have to be found somewhere else.

Councillor Chambers as Chairman of the Licensing and Environmental Health Committee confirmed the figures were still out to consultation, but there would be sufficient money within the budget to accommodate a different decision on fees than that proposed in the consultation.

Councillor Dean said he had many questions, but in view of the hour, he confirmed he supported the budget, and would therefore make only two points. He asked that next year the budget reports include graphic representation of information to enable easier understanding of trends; and in respect of funding of

PCSOs, he asked that reasonable efforts be made to secure more than one PCSO.

Further members' questions were put as follows:

Councillor Artus asked what the maximum reserve for Garden Communities would be.

Councillor Hargreaves asked whether business rates income would be ring-fenced, and requested that the Council Tax letters make it clear as to which element related to District Council services and which to Essex County Council.

Councillor Howell said he agreed with the suggestion for budget reports to include charts. Regarding PCSOs, it was the intention to maximise the funding allocated and with match funding from local communities he hoped that would allow more than one PCSO to operate, depending on timings and engagement of personnel. Regarding garden communities the report set out reference in the General Fund Reserve the amount of £105,000 per annum from 2018/19 to 2022/23 for this purpose. Regarding Business Rates retention, this question had also been raised at the meeting of the Scrutiny Committee; and, as he would need to consider his response to it, he would return to that Committee to address that point. Regarding the Council Tax letter, he said the information in that letter was already set out to show the division of costs, and was given in a statutory format. However, members could emphasise to their communities that this Council was one of the lowest cost councils in Essex, and the District Council element was only 9% of the overall amount of Council Tax.

Councillor Redfern gave an update on existing development of sheltered housing schemes and forthcoming new development projects.

Councillor Lees said the amount allocated to litter bins would not increase for the next five years, which was of concern. She also noted that in new developments litter bin collection seemed to be left to the relevant parish council.

Councillor Howell said the Council did provide in the budget for the increase in housing through the Medium Term Financial Strategy, and referred members to provision in year 5. Regarding the provision and collection of new litter bins, he recommended taking up specific enquiries with officers.

The Director of Finance and Corporate Services confirmed members should engage with officers regarding any problems regarding the provision of litter bins in new developments. Regarding the increase allowed for in year 5 of the budget for bin collection, this was intended to anticipate a new round of bin collection arising from new development.

The Chairman thanked Councillor Howell for the presentation of the budget report. He declared an interest in respect of the PCSO provision, in that Stansted, Elsenham and Henham parish councils had expressed interest in this service. He also noted the retention for members of the new homes bonus. He said he was the Council's representative on Uttlesford Community Travel which

did good work, and he therefore would encourage any member who had funds left this year to consider this voluntary organisation.

The reports being put to the vote, it was RESOLVED that in respect of the recommendations in the following reports:

**Robustness of Estimates and Adequacy of Reserves, and the Reserves Strategy**, the Council:

- a. Take account of the advice in the report when determining the 2018/19 General Fund budget and Council Tax.
- b. Approve the risk assessment relating to the robustness of estimates as detailed in the report
- c. Set the minimum safe contingency level for 2018/19 at £1.402 million in line with the specified calculation detailed in point 9 and this to be held in the Working Balance Reserve.
- d. Approve no transfers to or from the Working Balance should be built into the 2018/19 budget outside of maintaining the minimum safe contingency level.
- e. Adopt the attached Reserves Strategy.

**Medium Term Financial Strategy**, approve the Medium Term Financial Strategy.

**Treasury Management Strategy**, approve the Treasury Management Strategy and appendices.

**Capital Programme 2018/19 – 2022/23**, approve the Five Year Capital Programme.

**Housing Revenue Account 2018/19**, approve the Housing Revenue Account and 5 year forecast.

**C67 ROBUSTNESS OF RESERVES AND ADEQUACY OF ESTIMATES 2018/19**

The resolution was taken as part of the Budget 2018/19 report, as shown in the minute for that item (above).

**C68 MEDIUM TERM FINANCIAL STRATEGY 2018/19**

The resolution was taken as part of the Budget 2018/19 report, as shown in the minute for that item (above).

**C69 TREASURY MANAGEMENT STRATEGY 2018/19**

The resolution was taken as part of the Budget 2018/19 report, as shown in the minute for that item (above).

**C70 CAPITAL PROGRAMME 2018/19 - 2022/23**

The resolution was taken as part of the Budget 2018/19 report, as shown in the minute for that item (above).

**C71 HOUSING REVENUE ACCOUNT 2018/19**

The resolution was taken as part of the Budget 2018/19 report, as shown in the minute for that item (above).

**C72 GENERAL FUND BUDGET AND COUNCIL TAX 2018/19**

Councillor Howell presented the report, which was seconded by Councillor Chambers. A recorded vote was taken, the outcome being as follows:

For the motion: Councillors Artus, Asker, G Barker, S Barker, Chambers, Davey, Davies, Dean, Fairhurst, Farthing, Felton, Foley, R Freeman, Gerard, Gordon, Hargreaves, Harris, Hicks, Howell, Jones, LeCount, Lees, Lodge, Loughlin, Mills, Morris, Oliver, Ranger, Redfern, Rolfe, Ryles, Sell and Wells.

Against the motion: Cllr Light.

Abstained: no abstentions were recorded.

The motion was passed by 33 votes to one against.

RESOLVED to approve:

1. The Council Tax resolution set out in appendix G to the report;
2. The General Fund Council Tax requirement for the Council's own purposes for 2018/19 (excluding town/parish precepts) of £5,330,374 as summarised in paragraphs 17 – 24 of the report, an increase of 2.99% on the average band D equivalent.
3. To approve the schedule of fees and charges as set out in Appendix F of the report.

**C73 PROCUREMENT STRATEGY 2018/19**

Members having considered the report which was presented by Councillor Howell, it was

RESOLVED to approve the Procurement Strategy 2018/19.

**C74 BUSINESS RATE RELIEF POLICY AMENDMENTS 2017/18**

Members having considered the report which was presented by Councillor Howell, it was

RESOLVED to approve the amendments to the criteria of the Business Rates Relief Schemes as follows:

- a) that the Revaluation Relief Scheme is awarded automatically to qualifying businesses, by withdrawing the application process.
- b) that the Pub Relief is awarded after all other reliefs have been applied.

**C75 PAY POLICY**

Members having considered the report which was presented by Councillor Howell, it was

RESOLVED to approve the Pay Policy as set out in the report.

**C76 APPOINTMENT OF SUBSTITUTE CONSERVATIVE MEMBER OF PLANNING COMMITTEE**

Members having considered a proposal to appoint Councillor Farthing as a substitute member on Planning Committee, in place of Councillor Ranger, it was

RESOLVED to appoint Councillor Farthing as a substitute Conservative member to Planning Committee.

**C77 APPOINTMENT OF MONITORING OFFICER**

Councillor Howell presented a report proposing the continuation of appointment of Mr Simon Pugh as the Council's Monitoring Officer, following his appointment to the permanent position of Assistant Director – Governance and Legal.

Councillor Chambers seconded the motion.

RESOLVED that the Council continue the appointment of Mr Simon Pugh as Monitoring Officer and continue the delegation of power to grant dispensations under s.33 Local Government Act 2011 to district, parish and town councillors who have disclosable pecuniary interests to speak and/or vote on issues relating to such interests and to grant dispensations under the Code of Conduct to district, parish and town councillors with other pecuniary interests to speak and/or vote on issues relating to such interests.

## C78 COMMITTEE TIMETABLE 2018/19

The motion to adopt the timetable of meetings for the Council and its committees for the year 2018/19 was proposed and duly seconded.

RESOLVED to adopt the timetable of meetings for the year 2018/19.

## C79 ELECTION OF THE CHAIRMAN AND VICE CHAIRMAN

Councillor Oliver presented a report seeking adoption of an amendment to the constitution regarding the election of the Chairman and Vice Chairman.

Councillor Hargreaves said he supported the motion as when he had first joined the Council, he had felt strongly that new councillors should participate in the nominations for these positions.

RESOLVED to adopt the changes to Article 5 of the Council's Constitution as follows:

5.1.1. The Chairman and Vice-Chairman will be elected by the Council annually as the first business at its annual meeting.

5.1.2. Nominations for the posts of Chairman and Vice- Chairman for the Council year shall be made at the ~~last ordinary meeting of the Council prior to the~~ annual meeting.

~~and at the annual meeting the Chairman and Vice- Chairman shall be elected from those so nominated. If any person nominated as Chairman or Vice- Chairman shall no longer be a Member of the Council at the date of the annual meeting or informs the Chief Executive that he or she no longer wishes to be considered for such office at or before the annual meeting then alternative candidates may be proposed at the meeting.~~

5.1.3. Any casual vacancy in the office of Chairman or Vice-Chairman shall be filled at the first ordinary meeting of the Council after such vacancy occurs.

## C80 MOTION TO ESTABLISH AN EQUALITY COMMITTEE

Councillor Light proposed the motion "To establish a committee dedicated to positively promoting equality and to ensuring that all Council actions and policies not only comply with current legislation but actively foster inclusivity". She said a committee established to promote these principles would inform decisions which affected groups disproportionately such as women, or those living in poverty or isolation. A committee was needed as existing committees were unable to deal with equalities issues fully, and consideration by a working group or Scrutiny

Committee was not enough. This committee should be balanced, and should include representatives drawn from the community.

Councillor S Barker said the issue was more wide-ranging than simply equality, and to deal with it via a committee would confine rather than restrict the need to be responsible for these principles. She proposed amending the motion, to read as follows:

“This Council continues to be committed to positively promoting equality and to ensuring that all Council actions and policies not only comply with current legislation but actively foster inclusivity.

This Council calls on the Cabinet Member for Equality to bring a report on this important matter back to Full Council following the Internal Audit of Equalities and Diversity later this year, and to then consider how this important requirement is monitored.”

Councillor Fairhurst claimed that the amendment was out of order, as its effect was to negate the motion.

The Assistant Director – Legal and Governance said an amendment negating the motion was, in effect, inserting the word “not” in circumstances where voting against the motion would effectively achieve the same result. This amendment did not negate the motion, as it was relevant to the motion and proposed an alternative course of action.

The Chairman said the legal advice was clear.

Councillor Rolfe seconded the amendment, which was then debated.

Councillor Ranger said another committee was not necessary, as all decisions were taken through the appropriate decision-making process, and if there were any concern about inequality, could be referred to the Scrutiny Committee.

Councillor Dean said the amendment did not negate the proposal. There might be a role for the Scrutiny Committee in considering how to address equalities matters.

Councillor Asker said it was disappointing that the opportunity had not been taken earlier to bring this item forward when the public were present. She could not support the amendment because the public would be disappointed in that outcome.

The Chairman said he had noted that request but the budget was the most important item of business at this meeting.

Councillor Jones said it would have been beneficial to have engaged the Council’s own audit committee to look at this item, but consideration by an external body would provide greater confidence.



Councillor Hicks said he had been a councillor for many years and considered equality had been dealt with very effectively. He could see no benefit to appointing a new committee. The change of governance from committees to Cabinet was meant to reduce the number of committees, partly because of cost. There was no case for another committee.

Councillor Lodge said he regretted the fact the public had departed. He referred to Councillor Fairhurst's legal view that the amendment negated the motion.

Councillor Loughlin said that as a woman she did not feel subjected to unequal treatment by this Council, which also had a female Chief Executive. She did not agree with Councillor Jones' suggestion that an independent assessment of equality be undertaken, as this would cost money. Regarding Councillor Lodge's complaint that the public had departed, this meeting was being broadcast live and was recorded so the public could still listen to the debate.

Councillor Foley said he supported the original motion because it gave stronger commitment to the direction of travel.

Councillor Hargreaves said in practical terms, Councillor S Barker had said the report could be considered by Scrutiny Committee or Governance, Audit and Performance Committee. At its last meeting of the latter, the business considered had been extensive. Sufficient time was not available for the Committee to take on the additional task of considering equalities in the necessary depth.

The Chairman said any such report would be to Full Council.

Councillor Fairhurst said he agreed with the point made by Councillor Foley, and it was not the moment to continue with "business as usual", but to recognise times had changed and to act in accordance with the public mood by doing something special.

Councillor Rolfe said this amendment was not about principle but about process. It was fortuitous that the Internal Audit team were studying this area, and would report in Q1 of 2018/19. He supported Councillor Jones' point in that the study needed to look at external examples to see what was needed to achieve the best quality of diversity and equality. He also supported the comments of Councillor Dean, as it was important to have the right approach. He took note of the workload on Governance, Audit and Performance Committee. He asked that a recorded vote on the amendment be taken.

Councillor Light said there was a great difference between conducting an audit and what she had proposed. The equalities impact assessment for the budget said nothing about the how the budget might affect minorities, whereas a committee would drive equality forward.

The Chairman asked Councillor S Barker whether if the amendment were to be passed, and there were to be an audit, she ruled out establishing a committee.

Councillor S Barker said she was open to the outcome of the review, nothing was ruled out, and she would bring back a report to Council.

Councillor Lodge requested a recorded vote on the amendment.

In response to comments as to further changes to the wording of the amended motion, Councillor S Barker rejected suggestions that it include reference to considering establishment of a committee, and that the wording “is monitored” be changed.

The amended motion being put to a recorded vote, the outcome was as follows:

For the amended motion: Councillors G Barker, S Barker, Chambers, Davey, Dean, Farthing, Felton, Gordon, Harris, Hicks, Howell, Jones, Loughlin, Mills, Oliver, Ranger, Redfern, Rolfe, Ryles, Sell and Wells.

Against the amended motion: Councillors Artus, Asker, Fairhurst, Foley, R Freeman, Gerard, Hargreaves, LeCount, Lees, Light, Lodge and Morris.

Abstentions: none were recorded.

The amended motion was therefore carried by 21 votes in favour, to 12 against.

The amendment now being the substantive motion, as follows, was put to the vote:

“This Council continues to be committed to positively promoting equality and to ensuring that all Council actions and policies not only comply with current legislation but actively foster inclusivity.

This Council calls on the Cabinet Member for Equality to bring a report on this important matter back to Full Council following the Internal Audit of Equalities and Diversity later this year, and to then consider how this important requirement is monitored.”

The substantive motion was carried, with 21 votes in favour, 5 against and with 3 abstentions.

RESOLVED that

This Council continues to be committed to positively promoting equality and to ensuring that all Council actions and policies not only comply with current legislation but actively foster inclusivity.

This Council calls on the Cabinet Member for Equality to bring a report on this important matter back to Full Council following the Internal Audit of Equalities and Diversity later this year, and to then consider how this important requirement is monitored.

There were no items of urgent business.

The meeting ended at 10.50pm

## PUBLIC SPEAKING – SUMMARIES OF STATEMENTS

Susan Perry spoke in favour of the motion to remove Councillor Knight as Chairman of the Standards Committee, raising the following points:

The radio interviews given by Councillor Knight show a lack of knowledge of basic law around sexual harassment which was not commensurate with chairing the committee effectively; the absence of a required level of competence for members of Standards Committee is of concern; the lack of understanding Councillor Knight showed of the principle that people had the right to be able to work in a non-threatening environment was greatly concerning.

Sophie Durlacher spoke in favour of the same motion, raising the following points:

Councillor Knight was wrong to have stated that groping was not a crime and should have issued a correction after the interview in which she made this point; she was free to make the comments she did, but they were not appropriate for someone who held public office and in particular the role of chairman of a Scrutiny Committee; an unpleasant anonymous letter referred to those objecting to her comments as being part of a “new Holocaust”, and being Jewish, Ms Durlacher asserted the objections to the statement Councillor Knight had made were not fascist, but were made with democratic intention to hold her to account for her ill-chosen words.

Martin Day spoke in favour of the same motion, raising the following points:

As a business owner and father, it was important to provide an environment for young people which did not normalise behaviour which objectified women or constituted sexual harassment. Those working in the hospitality industry were often low-paid and had few options for taking on other employment, so did need protection in the workplace. It was no excuse that the Presidents’ Club dinner had raised large sums of money for charity.

Katy Day spoke in favour of the same motion, raising the following points:

Councillor Knight’s comments appeared to perpetuate the view that female employees at events such as the Presidents’ Club dinner should “put up or shut up”, and that the wallet justified the behaviour of the guests. No woman in future should feel she had to accept such conditions. Given the comments she had made, how would Councillor Knight be able to deal with a referral to the Scrutiny Committee of a complaint of harassment?

Janina Vigurs spoke in favour of the same motion, raising the following points:

Having experienced sexual harassment, there is a lasting effect on the victim and a perpetuation of an environment in which serious sexual crime can be more likely, if people are allowed to get away with similar less serious behaviour unchallenged. If Councillor Knight has dedicated her efforts to supporting women, she should realise the impact on them of such behaviour. Comments indicating that “most” women can deal with this behaviour contribute to the reasons why women do not report crime, and fuel a culture of sexual harassment.

Sue Lawson spoke in favour of the same motion, raising the following points:

Whilst Councillor Knight says the comments were made in her private capacity, we live in a social media and celebrity culture that blurs the boundaries; I request Governance, Audit and Performance Committee reviews the terms of the code of conduct to clarify when it is reasonable to claim a member is speaking in a private capacity; Councillor Knight’s incorrect comments about the law of sexual harassment were in contrast to those of the Prime Minister and UDC’s Leader, and show a lack of judgment. I ask that the motion be amended to remove Councillor Knight as a member of the Standards Committee.

Justin Rhodes spoke in favour of the same motion, raising the following points:

Whilst groping does not equate to rape, an event such as the Presidents’ Club dinner chips away at the rights of women. Councillor Knight can speak freely in the media but has shown a lack of judgment particularly as Chairman of Standards Committee. She said she spoke as a businesswoman but in the world of instant communication on social media it is not feasible to separate roles like that.

Sarah Ellis spoke in favour of the same motion, raising the following points:

From my work as an educator of young people, I see the damaging results of comments such as those made by Councillor Knight, which gave a message of inequality between men and women. Councillor Knight’s comments show lack of knowledge and judgment. There is a responsibility on employers to ensure the work environment is not discriminatory, and a vote in supporting her competence is complicit in such discrimination.

Doug Perry spoke against the same motion, raising the following points:

Councillor Knight stood up for what is right, and has, as I have also, been attacked many times for views expressed in connection with the local plan. This matter has been handled badly, as was the issue of Council Tax fraud in respect of another member, indicating double standards. This is a witch hunt, Councillor Knight has clear redress through freedom of speech under human rights legislation. She has suffered harm from these personal attacks. Tonight’s meeting papers have been corrupted by inclusion of words such as “harassment”, which is clearly not relevant, with further corruption by email, to predetermine who the nominee for the chairmanship is to be. This is persecution, it is political and shows double standards. I speak as a resident of Saffron Walden and not as a town councillor.

Amelie Gerard spoke in favour of the same motion, raising the following points:

I am 15. I am glad to hear that Councillor Knight is considered to be a good parish and district councillor. This is about how councillors conduct themselves in public, and the confidence placed in them. Many teenagers have part-time jobs, but do the comments Councillor Knight made mean it is right that we have to worry about being to blame if someone gropes us at work, or something inappropriate should happen? It is not acceptable. Please think of young people when you cast your vote.

Angela Foster spoke against the same motion, raising the following points:

Councillor Knight did not condone the behaviour of individuals at the Presidents' Club dinner, and her comments can be interpreted in different ways. Standards Committee should be looking closely at the question of harassment directed at Councillor Knight. She did not say being at the event was "hilarious", but said this about the way in which the journalist went about reporting the event. Councillor Knight has been an active employer and supporter of women for years. Shame on those speaking against her.

Anthony Robertson spoke against the same motion, raising the following points:

As a grandfather and father, and a retired policeman who was involved in victim support, I consider the "Yummy Mummies" are not the only people who care about women's rights. To think that harassment could have happened at one of the most secure hotels in London is absurd, and no criminality was found to have taken place at the event. There has been an orchestrated social media campaign which was disgraceful. To demonstrate outside the Council offices showed poor judgment. Councillors should reject the motion.