

# Minutes

## Council Meeting

10<sup>th</sup> June 2013



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast the meeting is available for 6 months at [www.braintree.gov.uk](http://www.braintree.gov.uk).

### Present:

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
Councillor J E Abbott	Yes	Councillor J S Allen	Yes
Councillor M J Banthorpe	Yes	Councillor P R Barlow	Yes
Councillor J Baugh	Yes	Councillor J C Beavis	Yes
Councillor D L Bebb	Yes	Councillor E Bishop	Apologies
Councillor R J Bolton	No	Councillor L B Bowers-Flint	Yes
Councillor G Butland	Yes	Councillor C A Cadman	Yes
Councillor S Canning	Yes	Councillor T G Cunningham	Yes
Councillor J G J Elliott	Apologies	Councillor Dr R L Evans	Yes
Councillor A V E Everard	Yes	Councillor J H G Finbow	Yes
Councillor M J Fincken	Yes	Councillor T J W Foster	Yes
Councillor M E Galione	Yes	Councillor C Gibson	Yes
Councillor M Green	Yes	Councillor P Horner	Yes
Councillor S A Howell	Yes	Councillor H D Johnson	Yes
Councillor S C Kirby	Yes	Councillor M C M Lager	Yes
Councillor C Louis	Yes	Councillor D J Louis	Yes
Councillor D Mann	Yes	Councillor J T McKee	Yes
Councillor R G S Mitchell	Yes	Councillor R G S Mitchell	Yes
Councillor J M Money	Yes	Councillor J O'Reilly-Cicconi	Apologies
Councillor Mrs I C F Parker	Yes	Councillor J A Pell	Yes
Councillor R P Ramage	Yes	Councillor R P Ramage	Yes
Councillor D M Reid	No	Councillor F Ricci	Apologies
Councillor W J Rose	Yes	Councillor V Santomauro	Yes
Councillor W D Scattergood (Chairman)	Yes	Councillor W Schmitt	Yes
Councillor A F Shelton	Yes	Councillor L Shepherd	No
Councillor C Siddall	Yes	Councillor C Siddall	Yes
Councillor G A Spray	Yes	Councillor G A Spray	Yes
Councillor P Tattersley	Yes	Councillor C M Thompson	Yes
Councillor M Thorogood	Yes	Councillor L S Walters	Yes
Councillor R G Walters	Yes	Councillor S A Wilson (Vice Chairman)	Yes
Councillor B Wright	Yes		

## 17. **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The meeting opened with a minute's silence in memory of Councillor Eric Lynch, who had passed away on 2<sup>nd</sup> June. Several members from all political groups paid tribute to Councillor Lynch. Tributes were made to his dedication and commitment as a Councillor representing the Braintree East Ward for around 10 years and to his work in the community.

Councillor Lynch's community interests included the friends of Braintree Community Hospital, the Scouts Association and Carousel Children's Centre. He was also Vice Chairman of Beckers Green Primary School Board of Governors and a trustee of Braintree United Charities.

Members expressed their sincere condolences to Councillor Lynch's family.

The Chairman's other announcements covered the following:

- Opening of Braintree and Bocking Community Centre;
- Chairman's Charity Golf Day on Wednesday, 7<sup>th</sup> August;
- Braintree Carnival 50<sup>th</sup> Anniversary.

Councillor Mitchell, Deputy Cabinet Member, Place, presented the Chairman with a silver award which had been awarded to the Council by the Essex County Council (ECC) Business Travel Accreditation Scheme.

## 18. **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:

- Councillors Abbott, Butland, D Louis, Lady Newton and R Walters declared non pecuniary interests in Agenda item 8(i)d, Reports from the Leader and Cabinet Members, Councillor Lady Newton, Planning and Property, as members of ECC in relation to a reference in the report to ECC's Replacement Minerals Local Plan;
- Councillor Barlow declared a non pecuniary interest in Agenda item 8(i)d, Reports from the Leader and Cabinet Members, Councillor Bebb, Performance and Efficiency, as an account holder with the Cooperative Bank referred to in the report;
- Councillor Canning declared a non pecuniary interest in Agenda item 8(i)e, Reports from the Leader and Cabinet Members, Councillor Schmitt, Place, as Secretary of the Braintree East Pride in Our Patch Group;
- Councillor Pell declared the following interests:
  - a non pecuniary interest in Agenda item 7, Review of The Community Housing and Investment Partnership Fund, as a Trustee of the Halstead Day Centre mentioned in the report;

- a disclosable pecuniary interest in Agenda item 7, Review of The Community Housing and Investment Partnership Fund, as her husband is a tenant of a garage rented from Greenfields. Councillor Pell left the meeting for the consideration of this item;
- Councillor R Walters also declared the following non pecuniary interests:
  - in Agenda item 8(i)e Reports from the Leader and Cabinet Members, Councillor Schmitt, Place, as a resident of Hoppit Mead, referred to in the debate.
  - in Agenda item 8(i)e Reports from the Leader and Cabinet Members, Councillor Schmitt, Place, as the EEC Cabinet Member for Waste and Recycling, as ECC waste issues were referred to during the debate.

In accordance with the Code of Conduct all Members remained in the meeting for these items and took part in the debate and decision thereon, unless stated otherwise.

## 19. **MINUTES**

**DECISION:** That the minutes of the Annual General Meeting of the Council held on 13<sup>th</sup> May 2013 be approved as a correct record and signed by the Chairman.

## 20. **QUESTION TIME**

**INFORMATION:** There were no questions asked.

## 21. **RECOMMENDATIONS FROM CABINET, 20<sup>TH</sup> MAY 2013 – PROVISIONAL FINANCIAL OUTTURN 2012/13**

**DECISION:**

1. That the provision of £400,000 Growth Area Funding underspends toward access improvements at Twin Oaks be approved.
2. That delegated authority be given to the portfolio holder and Corporate Director to negotiate final details of the scheme.

**REASON FOR DECISION:** To approve additional funding provision for access improvement works at Twin Oaks.

## 22. **REVIEW OF THE COMMUNITY HOUSING AND INVESTMENT PARTNERSHIP (CHIP) FUND**

**DECISION:** That the following be noted:

- The revised investment strategy;
- The introduction of joint Chairmanship;
- The change to 6 monthly Board Meetings;
- The change to the management of the grant-giving element of the fund.

**REASON FOR DECISION:** To inform members of the outcome of the review of the CHIP fund.

23. **QUESTIONS BY MEMBERS**

(i) **Reports from the Leader and Cabinet Members**

**INFORMATION:** Consideration was given to the reports of the Leader and Cabinet Members.

Councillor Bebb, Cabinet Member, Performance and Efficiency, added to the portfolio report that a call-in of the Local Authority Mortgage Scheme at ECC had just been cleared. Matched funding from ECC and Braintree District Council is expected to result in £2 million being available in the Scheme for residents in the district. The Scheme is expected to be launched in about 2 months.

Councillor Bebb also added that the Council's financial advisers, Arlingclose, has advised that the Council continues with its recently introduced arrangements in response to Moody's downgrading of the Cooperative Bank where the Council has a contract for the provision of banking services.

Councillor Lady Newton, Cabinet Member, Planning and Property, added to the portfolio report that she would be opening Pavilion Court, Braintree, providing supported housing for young people on 11<sup>th</sup> June.

Councillor Schmitt, Cabinet Member, Place, added to the portfolio report that the public consultation day on the proposed nature reserve at Hoppit Mead, Braintree, had been very well attended with several people wishing to join a related friends group.

Councillor Schmitt also refuted a report in the Halstead Gazette that residents had claimed that Halstead's pristine image is being tarnished by litter and dog mess. She pointed out that the Council has a telephone number for residents to report litter and fouling problems. The Council also meets regularly with Halstead Town Council and Halstead in Bloom and littering and fouling had not been an issue. She thanked Councillor Pell for her support in refuting the report. Councillor Pell agreed with the comments of Councillor Schmitt and added that Halstead is clean. Councillor Pell said the person quoted in the newspaper had been misinterpreted as he had been referring to an area where he lived and not the centre of Halstead.

Councillor Mitchell added to the portfolio report that waste and recycling figures released by ECC for 2012-13 showed that Braintree district residents had recycled just under 57% of their waste, the third highest in Essex.

Councillor Siddall, Cabinet Member, Prosperity and Growth, added to the portfolio report that Mark Prisk, Minister for Housing and Local Government, had visited Braintree on 6<sup>th</sup> June to support the 'Backing Braintree' campaign and the Portas Pilot town status. The Minister had commented that he was pleased to see the people of Braintree coming together to deliver a wide range of innovative projects such as a pop up shop, parking initiatives, and loyalty schemes.

Members asked several questions arising from the reports. A webcast of the questions and responses of Cabinet Members is available from the Council's website at: [www.braintree.gov.uk](http://www.braintree.gov.uk).

Main topics covered were as follows:

- Negotiations on the joint use of facilities which exist in the Bramston Sport Centre, Witham, which will not be provided in the new Witham Leisure Centre;
- Homes purchased as a result of the introduction of the Government's housing help to buy scheme and resulting improvements in the economy;
- Implementation of the Local Authority Mortgage Scheme through a bank;
- The Council's approach to its investments in the light of the different agency ratings of the Cooperative Bank;
- Next stages in the ECC Replacement Minerals Plan;
- Concerns of local residents over parking issues on the arrival of Cofunds at Mayland House, Witham;
- The acquisition of Cofunds by Legal and General having no effect on its move to Mayland House;
- Location of cigarette bins in Braintree town centre and the number of enforcement officers employed by the Council;
- Leaving grass verges to grow to encourage wildlife;
- Free consultancy supporting the water strategy for council owned sites;
- Encouraging use of the Coop site in High Street, Witham;

The following actions were agreed in response to questions raised by members:

- Councillor Lady Newton, Cabinet Member, Planning and Property, agreed to write to Network Rail to ask how they would be managing the construction of the railway bridge at Motts Lane, Witham, in order that installation could be achieved on Christmas Day 2013 as planned. She would also ask Network Rail how they would be ensuring the safety of people crossing the railway line during the construction period and to advise Councillor Dr Evans accordingly;
- Councillor Lady Newton also agreed to provide Councillor Dr Evans with a breakdown of the funds being provided by the Council and Network Rail for the construction of the bridge at Motts Lane;
- Councillor Lady Newton agreed to provide Councillor Finbow with details of the total costs to date to the Council related to dealing with land East of High Street, Halstead;

- Councillor Lady Newton agreed to advise Councillor Banthorpe if the right turn from Rose Hill into Railway Street is being included in the highway improvements in the South Street, Braintree, project.
- Councillor Schmitt, Cabinet Member, Place, agreed to look into whether litter had been picked prior to the cutting of grass verges in Rivenhall. If the litter had not been cleared first, she would advise Councillor Abbott what had happened. Councillor Schmitt also agreed address the issue of contacting Parish Councils prior to cutting grass in her reply.

(ii) **Chairmen's Statements**

**INFORMATION:** No statements were made.

(iii) **Oral Questions Without Notice**

**INFORMATION:** In response to a question from Councillor Kirby, Councillor Butland, Leader of the Council, advised that he is keen that the Council plays a leading role in combating child sexual exploitation in the district. Many of the places where contact leading to the exploitation is alleged to take place e.g. taxis, sports centres, and fast food outlets, district councils have a responsibility. Councillor Butland is keen for the Council to work with ECC and the Safeguarding Children Board to ensure that the district is made as safe as possible for children. He has been in discussions with the Chairman of the Safeguarding Board which is working on a package specifically for district councils. He hoped that as many members as possible will attend the training event when it happens.

In response to a question from Councillor Lager, Councillor Lady Newton, Cabinet Member, Planning and Property, advised that on the planning appeal relating to the Council's decision to refuse planning permission for an extension to Morrisons Supermarket, Witham, the Council will be defending its decision.

In the planning appeals process, it is normal practice for the Planning Inspector to ask the authority of any planning conditions it would wish to see in place. She will also ensure that all those who have made representations on the planning application are notified of the appeal.

(iv) **Minutes of Meetings (Public Session)**

**INFORMATION:** Councillor Bebb, Cabinet Member, Performance and Efficiency, agreed to discuss queries from Councillor Barlow in respect of funds returning to the General Fund in the decision taken by Cabinet at its meeting on 20<sup>th</sup> May with him outside of the meeting.

24. **BUSINESS OF EXTERNAL ORGANISATIONS**

**INFORMATION:** There were no reports received from Council representatives on external organisations, or issues raised.

The meeting commenced at 7.15pm and closed at 8.35pm.

W D Scattergood  
(Chairman)