

COUNCIL

AGENDA



THIS MEETING IS OPEN TO THE PUBLIC (*Please note this meeting will be webcast*)

<http://www.braintree.gov.uk/Braintree/councildemocracy/committees/Council>

Date: 12th December 2011

Time: 7:15pm

Venue: Council Chamber, Causeway House, Bocking End, Braintree, CM7 9HB

Membership:

Councillor J E Abbott	Councillor J S Allen	Councillor M J Banthorpe
Councillor P R Barlow	Councillor J Baugh	Councillor J C Beavis
Councillor D L Bebb	Councillor E Bishop	Councillor R J Bolton
Councillor G Butland	Councillor C A Cadman	Councillor S Canning
Councillor T G Cunningham	Councillor J G J Elliott	Councillor Dr R L Evans
Councillor A V E Everard	Councillor J H G Finbow	Councillor M J Fincken
Councillor L B Flint	Councillor T J W Foster	Councillor M E Galione
Councillor C Gibson	Councillor P Horner	Councillor S A Howell
Councillor H D Johnson	Councillor S C Kirby	Councillor M C M Lager
Councillor D J Louis	Councillor C Louis	Councillor D Mann
Councillor J T McKee	Councillor D G Messer	Councillor R G S Mitchell
Councillor J M Money	Councillor Lady P Newton	Councillor J O'Reilly-Cicconi
Councillor Mrs I C F Parker	Councillor Mrs J A Pell	Councillor R P Ramage
Councillor D M Reid	Councillor D E A Rice	Councillor W J Rose
Councillor C Sandbrook	Councillor S Sandbrook	Councillor V Santomauro
Councillor W D Scattergood	Councillor W Schmitt	Councillor A F Shelton
Councillor L Shepherd	Councillor C Siddall	Councillor G A Spray
Councillor J S Sutton	Councillor J R Swift	Councillor P Tattersley
Councillor C M Thompson	Councillor M Thorogood	Councillor L S Walters
Councillor R G Walters	Councillor S A Wilson	Councillor B Wright

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. During this period Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Member Services Team on 01376 551414 or e-mail alastair.peace@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices.

Members of the Council are requested to attend the above meeting to transact the following business: -

PUBLIC SESSION

1. **Apologies for Absence**
2. **To receive any announcements/statements from the Chairman of the Council.**
3. **Declarations of Interest.**
 - (a) To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.
 - (b) Any member with a personal and prejudicial interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time
4. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 7th November 2011 (Copy previously circulated)
5. **Question Time.** (See above paragraph)
6. **Policy Recommendations and References – Cabinet 5th December 2011.**

To consider any policy recommendations which have arisen since the last Council meeting.

 - (i) **Construction of new enterprise facilities/start up units at Springwood Drive, Braintree, Braintree (report to follow).**
 - (ii) **Growth Area Funding – Update (report to follow).**
7. **Appointments to Committees**

To receive nominations from the Leader of the Council for one Conservative group vacancy on the Licensing Committee and two Conservative group vacancies on the Overview and Scrutiny Committee.
8. **Statements by Members.**

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 18.4(a). **There are none**

9. Question Time

- (i) **Statement's from the Leader and Cabinet Members.** To receive the following reports from each Portfolio Holder.
 - (a) Councillor Butland, Leader of the Council (Page 1)
 - (b) Councillor Mrs Beavis, Communities (Page 5)
 - (c) Councillor Lady Newton, Enterprise, Housing and Development (Page 11)
 - (d) Councillor Mrs Schmitt, Environment (Page 14)
 - (e) Councillor Siddall, Efficiency and Resources (Page 19)
- (ii) Oral questions without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants. (Procedure rules 18.2 and 18.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for this item shall not exceed 30 minutes)
- (iii) **Chairmen's Statements.** To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 18.7 and to respond to questions on such statements. ***None have been received.***
- (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the last Council meeting on 7th November 2011. (Paper attached – Page 21)

10. To receive reports about and receive questions and answers on the **business of external organisations.**

Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.

PRIVATE SESSION

Note: At the time of Publication there are no items for Private Session

11. **Statements by Members – Private Session**

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 18.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

There are no statements

(Please note that the maximum time set aside for item 11 shall not exceed 30 minutes)

12. Question Time - Private Session

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants and which contain exempt information. (Procedure rules 18.2 and 18.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for item 12 (ii) shall not exceed 30 minutes)

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 18.7 and to respond to questions on such statements - **There are none.**
- (iv) To raise any matters arising from the minutes of meetings that have been held in private session since the last Council meeting on 7th November 2011.

13. **Private Session Policy Recommendations.** To consider any policy recommendations (in private session) that have arisen within the last meetings' cycle – **There are none.**

If you are unable to attend the meeting please forward your apologies for absence to Alastair Peace on (01376) 551414 or email alastair.peace@braintree.gov.uk

The last page of this agenda is numbered 21.

A J REID
Chief Executive

Health and Safety

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

Mobile Phones

Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at <http://www.braintree.gov.uk/Braintree/councildemocracy>

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended

Date of Meeting

Comments

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Contact details.....