

Minutes

Council Meeting

10th December 2018



These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available for six months at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J Abbott	Yes	Councillor S Kirby	Apologies
Councillor Mrs J Allen	Yes	Councillor G Maclure	Yes
Councillor M Banthorpe	Yes	Councillor D Mann	Yes
Councillor P Barlow	Yes	Councillor J McKee	Yes
Councillor J Baugh	Yes	Councillor R Mitchell	Yes
Councillor Mrs J Beavis	Yes	Councillor Mrs J Money	Apologies
Councillor D Bebb	Yes	Councillor Lady Newton	Apologies
Councillor K Bowers	Yes	Councillor J O'Reilly-Cicconi	No
Councillor Mrs L Bowers–Flint	Yes	Councillor Mrs I Parker	Yes
Councillor G Butland	Yes	Councillor Mrs J Pell	Yes
Councillor S Canning	Yes	Councillor R Ramage	Yes
Councillor J Coleridge	Yes	Councillor F Ricci	Yes
Councillor J Cunningham	Apologies	Councillor B Rose	Yes
Councillor Mrs M Cunningham	Apologies	Councillor Miss V Santomauro (Chairman)	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Scattergood	Yes
Councillor M Dunn	Yes	Councillor Mrs W Schmitt	Yes
Councillor J Elliott	Yes	Councillor P Schwier	Yes
Councillor T Everard	Yes	Councillor C Siddall	Apologies
Councillor Mrs D Garrod	Yes	Councillor Mrs G Spray	Yes
Councillor J Goodman	Yes	Councillor P Tattersley	Apologies
Councillor A Hensman	Yes	Councillor Miss M Thorogood	Yes
Councillor P Horner	Yes	Councillor R van Dulken	Yes
Councillor D Hume	Apologies	Councillor Mrs L Walters	Yes
Councillor H Johnson	Yes	Councillor Mrs S Wilson	Yes
Councillor Mrs A Kilmartin (Vice Chairman)	Yes		

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions. The meeting may be viewed in full via the webcast of the meeting on the Council's website at www.braintree.gov.uk.

54 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor Abbott declared a non-pecuniary interest in Agenda Item 15 – 'Polling District and Polling Place Review,' as a member of Rivenhall Parish Council, of which had submitted representations under this Item during the review period.

Councillor Baugh declared a non-pecuniary interest in Agenda Item 10 – 'Recommendation from Cabinet – 26th November 2018 – Medium-Term Financial Strategy 2019-20 to 2022-23,' as a Director and trustee of the Braintree District Museums Trust.

Councillor Mrs Bowers-Flint declared a non-pecuniary interest in Agenda Item 12 – 'Recommendation from Cabinet – 26th November 2018 – North Essex Garden Communities Ltd – Shareholder Approvals and Update,' as a non-remunerated member of North Essex Garden Communities Ltd.

Councillor Butland declared a non-pecuniary interest in Agenda Item 12 – 'Recommendation from Cabinet – 26th November 2018 – North Essex Garden Communities Ltd – Shareholder Approvals and Update,' as he was a non-remunerated Director of North Essex Garden Communities Ltd.

Councillor Hensman also declared a non-pecuniary interest in Agenda Item 15 – 'Polling District and Polling Place Review,' as he had submitted a representation under this Item during the review period.

Councillor Hensman declared a non-pecuniary interest in Agenda Item 18g – 'Reports from the Leader and Cabinet Members – Councillor P Tattersley – Health and Communities,' as a trustee of the centre that would host the Men's Health Day.

Councillor McKee declared a non-pecuniary interest in Agenda Item 10 – 'Recommendation from Cabinet – 26th November 2018 – Medium-Term Financial Strategy 2019-20 to 2022-23,' as a Director and trustee of the Braintree District Museums Trust.

Councillor Mrs Pell declared a non-pecuniary interest in Agenda Item 10 – 'Recommendation from Cabinet – 26th November 2018 – Medium-Term Financial Strategy 2019-20 to 2022-23,' as Chairman of Halstead Community Centre Charitable Company which was to be in receipt of funds from the budget.

Councillor Mrs W Scattergood declared a substantive non-pecuniary interest in Agenda Item 12 – 'Recommendation from Cabinet – 26th November 2018 – North Essex Garden Communities Ltd – Shareholder Approvals and Update,' as members of her family had objected to the proposals. Councillor Mrs Scattergood left the meeting for the duration of Item 12.

In accordance with the Code of Conduct, Members remained in the meeting and took part in the debate and decision when the Items were considered, unless stated otherwise.

55 **QUESTION TIME**

INFORMATION: The Chairman informed Members that although one member of the public had registered to speak during Question Time, they did not however attend the meeting.

56 **CHAIRMAN AND/OR LEADER'S ANNOUNCEMENTS/STATEMENTS**

The Chairman's announcements covered the following:

Community Transport 20th Anniversary Celebrations

Community Transport had celebrated its 20th Anniversary, the celebration of which took place at Braintree Town Hall and was attended by the Chairman. The Chairman expressed her thanks to the volunteers who gave their time for the benefit of the District's residents.

Christmas Light Switch On

The Braintree Christmas light switch on took place on 17th November 2018 and coincided with one of Braintree's Street Markets.

£100 Million Investment Plan Launch

The Chairman attended the £100 million plus investment plan led by Braintree District Council which was launched on 28th November 2018 at the Town Hall. The Chairman expressed that she was honoured to have provided the opening and closing speeches to the event.

Rose Planting for Suffragettes

In order to commemorate the 100 year anniversary of women's suffrage, the Chairman announced that she had planted two standard roses called 'Nostalgia' on Friday 30th November 2018 in conjunction with the Braintree and Bocking Public Gardens Trust.

The Chairman then invited the Leader to make his announcements. The Leader informed Members that he had no statements to make aside from those to be given during his Portfolio Holder Report later in the meeting.

57 **MINUTES**

DECISION: That the Minutes of the meeting of Council held on 8th October 2018 be approved as a correct record and signed by the Chairman.

PRESENTATION OF THE LOCAL COUNCIL AWARD SCHEME

The Chairman invited Councillor Peter Davey, Chairman of the Essex County Accreditation Panel of the Local Council Award Scheme, to present the Local Council Award Scheme at foundation level to Councillors Marlene Broomfield and Anne Burrows of Great Yeldham Parish Council.

Councillor Davey gave a brief insight for Members as to his background as a board member of the National Association of Local Councils (NALC) and Chairman of the Essex Association of Local Councils (EALC), as well as the role of the Local Council Award Scheme in supporting Town and Parish Councils in the provision of high quality services and value for money for their residents.

In Great Yeldham Parish Council's achievement of the award, the hard work of the Parish Clerk, Tracy Wigmore, and the support of the Chairman, Councillor Marlene Broomfield, and Councillor Anne Burrows was highly commended. The Parish Council's achievements were lauded, with specific mention made of the procurement of the £10,000 revenue grant under the Local Service Fund initiative by Essex County Council (ECC), and the awarding of £1,000 through BDC's Councillor Community Grants Scheme toward the creation of a public footpath between two adjoining locations. In addition to this, the Parish Council had successfully established a Neighbourhood Plans Steering Group, as well as a master plan in association with the local Sports Ground Management Committee for the regeneration of the sports and recreation ground. Other areas of note included Great Yeldham Parish Council's work with the children of St Andrew's Primary School in crafting decorations for the village Christmas Tree, the Parish Council's support of weekly youth clubs and IT introductory sessions for the over-50s, the IT sessions of which had proven successful and were to be continued in the following year, and the installation of a community defibrillator.

Members were informed that the foundation award under the Local Councils Award Scheme was presented to Town and Parish Councils who were able to achieve a minimum set of standards in the delivery of effective services within their communities, and demonstrate that they had the required documentation and information in place to operate lawfully and according to standard practices. Great Yeldham Parish Council was in achievement of all these qualities and also had policies in place for training its Councillors and Officers, which indicated that the principles of improvement and development were a key priority in its continued operation.

Councillor Davey concluded the presentation by congratulating all three of the Parish Councils representatives.

ESSEX PLAYING FIELD AWARDS

The Chairman invited Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, to present the Essex Playing Field Award to Officers Robin Jarvis, Dave Lawrence, Andy Potter, Rick Sargeant and Steve Wilson.

Councillor Mrs Schmitt expressed her sincere gratitude on behalf of both the Council and local residents towards the Officers present for their consistently hard work in maintaining the District's green spaces, and also extended her gratitude to

the remaining staff within the Horticultural Team who weren't present at the meeting for the continuous delivery of high quality services across the board.

The Chairman commended the Horticultural Team for the achievement of the award.

60 **LGA Local Government Challenge 2018 Awards**

The Chairman invited Councillor J McKee, Cabinet Member for Corporate Services and Asset Management, to present the East of England LGA Local Government Challenge 2018 Awards to Officers Gabriella Asara, Alex Chamberlain, Ian Hunt, Paula Jarvis, Nicola Nicholson and Danielle Putt.

Councillor McKee noted that this was the second time that BDC had won the event. The team that took part in the challenge was comprised of members of staff from across the Authority and between them also achieved the following accolades; Best Team, Best Partner and Best Chief Executive. Councillor McKee congratulated all staff members involved in the event and added that the standards had been set high for any teams taking part in the years to follow.

Ian Hunt, who was appointed the role of Chief Executive during the event, was invited to say a few words on behalf of the staff that took part in the challenge. Mr Hunt commended the work of his team on the day in their individual embracement of the challenge and added that many of the solutions identified by the team were reflections of the practices already undertaken at BDC.

61 **TO CONSIDER THE MOTION SUBMITTED BY COUNCILLOR BUTLAND**

INFORMATION: Consideration was given to the motion submitted by Councillor G Butland. Appropriate notice of the motion was given to the Chief Executive in accordance with Rule 18 of Chapter 2 of the Constitution. Councillor Butland put forward the motion which was seconded by Councillor Mrs Bowers-Flint.

There followed a general debate on the motion. On being put to vote, the motion was approved.

DECISION: "This Council reaffirms its commitment to Health, Homes, Journeys and Jobs through its £100 million-pound investment strategy, underlining a long-standing commitment to promoting growth and opportunity.

The Council continues to fully embrace and appreciate the opportunities presented by addressing the ongoing housing need in upcoming decades. Key to this is ensuring the correct onus on delivering the right housing supply allowing: choice of tenures including social housing, affordable housing for those who want to get on the housing ladder and the right supply for those who wish to move up the housing ladder from starter properties. In addition, suitable housing provision for an elderly population is also essential.

The Council also acknowledges its strong record in investing the proceeds of Housing Growth, (New Homes Bonus) to support and lever additional funding for infrastructure improvements and economic development. Examples have included: Millennium Slips, Superfast Broadband and Grow on Units.

Thanks to sound financial management, this Council is able to continue to invest to improve our District for our residents.”

62

RECOMMENDATION FROM CABINET – 26th NOVEMBER 2018 – MEDIUM-TERM FINANCIAL STRATEGY 2019-20 TO 2022-23

INFORMATION: Consideration was given to a report from the meeting of the Cabinet on 26th November 2018 regarding the Medium-Term Financial Strategy (MTFS) for the period 2019-20 to 2022-23. Councillor D Bebb, Cabinet Member for Finance and Performance, was invited to introduce the report.

Members were informed that in September 2018, Braintree District Council (BDC) was consulted on a technical consultation from the Ministry of Housing, Communities and Local Government (MHCLG). The consultation sought the views of a number of proposals; firstly, the application of the same referendum principles in 2019/20 as had been applied in 2018/19 and increases of up to 3% or up to and including £5.00 for District Councils, of which BDC had agreed upon. Secondly, the suggestion was made to eliminate the negative Revenue Support Grant (RSG) of £291,482 for this Council which had also been agreed, and thirdly the suggestion to increase the New Homes Bonus (NHB) scheme baseline in 2019/20 that currently withstood at 0.4%.

It was reported that the MHCLG had issued a prospective that invited local authorities to participate in a 75% business rates retention pilot in 2019/20. On 25th September 2018 a bid was submitted in response to this on behalf of 15 Essex Authorities; unfortunately, Thurrock Borough Council had since elected to withdraw from this agreement. The result of this joint submission was originally expected to be received on 6th December 2018 but due to recent delays in regard to Brexit negotiations, it was now unclear as to when the outcome of the consultation would be confirmed, along with the outcome of the Government's Fair Funding Review. Local Government funding reforms were due to be introduced from 2020/21 and would include a full rollout of the 75% Business Rate Retention scheme and a reset of the Business Rate Baselines as informed by the outcomes of the Fair Funding Review and of the Government's Spending Review in 2019.

Members were advised that the MTFS report included updates as to the budgetary assumptions and new demands propelling the evolving strategy following the recent meetings of the Overview and Scrutiny Committee and Cabinet, and in response to further meetings due to take place relating to the budget in early 2019.

Members were updated that bids for revenue funding to meet unavoidable budget demands and new investments totalled £1,480,230 in 2019/20 and £187,730 in 2020/21. Just over half of this (£787,160) was an ongoing requirement and therefore needed to be added to the base budget. Other requests amounted to £693,070 in 2019/20 and £122,000 in 2020/21 and were for one-off budget requirements.

Requests for an addition to the base budget included a request from the Development Management Team for supplementary staff to process the increased volume and complexity of major planning applications being received. A total of five additional staff were requested with a budgetary allowance of

£231,560 in order to help address the issue, the extra staff of which would also enable the use of Planning Performance Agreements which entailed a bespoke service for developers for the provision of pre-application advice in order to improve the efficiency of the application process. It was added that the figure of £231,560 was expected to be received, although it was anticipated that the new posts would take time to fill. As such, it was requested that Full Council gave consideration of approving the budgetary increases at an earlier stage to allow the recruitment process to commence in December and/or early January 2019.

The review of service budgets had identified adjustments to the budget with a total of £886,990 of which had been agreed by the Management Board as they did not have a direct impact on customers or service delivery. In addition to this, BDC sought to increase its income from three different sources: the first was the Disabled Facilities Grant (DFG), for which the service charge was 10% of the value of each approved grant. The proposal was to increase this to 15%. It was stressed that this would not have a negative impact on applicants of the DFG as the monetary allowance provided was not fully used. BDC also proposed to expand the use of Planning Performance agreements, as well as the investment of a further sum on £2 million in pooled funds.

On the subject of Business Rates, Members were advised that whereas BDC had control as to the establishment of Council Tax Rates within Local Authority limits, Business Rates were set by the Government which left BDC with little flexibility in this area to increase Business Rate income apart from the encouragement of new business developments in the District. In its current format, the Business Rates Retention scheme had been in operation since April 2013 and under the scheme the Government had calculated a baseline amount of business rates which allowed Local Authorities to retain growth of the baselines as part of the Government's funding for Local Government. BDC's provisional baseline figure for 2019/20 was £3,428,553, with a growth element of £1.1 million. However, it was added that the Government had proposed and intended to implement a new Business Rates Retention scheme of 75% in 2020/21, with pilots to take place the near future.

The Business Rates Pool had been in existence since 2015/16, the scheme of which was coordinated by Essex County Council (ECC) and involved channelling a proportion of the Business Rates Retention growth income which would otherwise be paid as a levy to the government to be retained as an Essex pool and apportioned between the Essex Local Authorities. Since the start of the scheme, a total of £1.51 million had been received. Furthermore, the addition of the Council Tax Sharing Agreement had allowed the Council to be awarded a degree of payback in relation to Council Tax from preceptor authorities such as ECC and Essex Police; since the start of this scheme, a total of £151,000 had been received back. It was added that if the Business Rates Retention scheme pilot was unsuccessful, BDC would receive £86,000 plus a share of £4.26 million across the North Essex Local Authorities. If the scheme was unsuccessful, the 15 participating Authorities had requested a fall back to the Essex Pool.

There were no changes proposed in respect of the local Council Tax support scheme, although it was proposed that the Council Tax Collection Fund surplus of £888,833 be distributed across the County. BDC would receive £113,625 of this surplus in 2019/20, with £21,040 of this amount to be allocated between the

Town and Parish Councils. In relation to Council Tax, BDC retained approximately 9% of the £87 million collected and in anticipation of the referendum limit being confirmed by the Government at the current level, it was proposed that Council Tax be increased for 2019/20 by £5.22 from £174.51 to £179.33, 10p per week. It was likely that due to the lack of funding, increases in the level of Council Tax provided in the Finance Profile for 2019/20 to 2022/23 for planning purposes would be:

- 2019/20 – 2.99% providing a Band D level of £179.73;
- 2020/21 – 1.95% providing a Band D level of £183.24;
- 2021/22 – 1.96% providing a Band D level of £186.84;
- 2022/23 – 1.97% providing a Band D level of £190.53.

The updated financial profile for the period 2019/20 to 2022/23 was as follows:

- 2019/20 – addition to Balances of £45,098;
- 2020/21* – shortfall of £507,618;
- 2021/22* – addition to balances £10,459; and
- 2022/23* – shortfall of £230,447.

It was highlighted to Members that although the anticipated shortfall of the Council's finances was £465,000 in September 2018, additional funds would be incurred in the next year of £45,098 with the abolition of the negative Revenue Support Grant, savings in recycling costs and money received from investments such as rent increases. The overall shortfall for the four-year period of 2019/20 to 2022/23 was £685,000 which would present a challenging environment for the Authority, especially in light of the current uncertainty within the MHCLG.

Note was made of a review of the earmarked reserves that had identified two reserves as not having been used; the Business Investment Fund created in 2015/16 with £500,000, and the Community Infrastructure Levy created 2014/15 with £100,000. It was proposed that the balances be transferred back to the General Fund unallocated balance.

Finally, the MHCLG had also indicated that it would change the scheme baseline for the New Homes Bonus from 0.4% for 2019/20, which resulted in an increase in the number of dwellings in the District by 389 or 0.64% since October 2017. BDC were informed that the threshold for New Homes Bonus was likely to increase and was expected to be included with the Funding Settlement Assessment, the new date of which was yet to be announced.

DECISION:

That Council agreed:

- a) A total of £21,040 of the surplus on the Council Tax Collection Fund be allocated to Parish/Town Councils;
- b) The requested increases of £231,560, to the staffing and income budgets for Development Management for 2019/20 to enable the recruitment process to commence in advance of the start of the year; and

- c) The balances on the two earmarked reserves (Business Investment Fund and Community Infrastructure Levy), totalling £600,000, be transferred back the General Fund unallocated balance.

REASON FOR DECISION: To ensure that there are good governance arrangements through the proactive management of the Council's finances over the short and medium term.

63 **RECOMMENDATION FROM CABINET – 26th NOVEMBER 2018 – TREASURY MANAGEMENT ANNUAL REPORT 2018/19**

INFORMATION: Consideration was given to a report on the Council's Treasury Management activities for the period 2018-19. Councillor D Bebb, Cabinet Member for Finance and Performance, invited Councillor J Elliott, Chairman of the Governance Committee, to introduce the report.

The Council's Treasury Management activities were regulated by statutory requirements and by a Code of Practice issued by the Chartered Institute of Public Finance (CIPFA). One of the key requirements of the Code was that, along with an annual strategy to be approved prior to the commencement of the financial year, and at least one mid-year report, the Council should also receive an annual report after the financial year-end.

DECISION: That Council accepts the Treasury Management Annual Report 2018/19.

RECOMMENDED DECISION: The Council had adopted the CIPFA Code of Practice for Treasury Management in Public Services, which required that the Council received an annual report on the Treasury Management function. This report was considered first by the Governance Committee in order to exercise its responsibility for scrutiny over Treasury Management activities. The report was then considered by Cabinet before submission to Full Council with the benefit of any proposed changes and/or comments of the Governance Committee.

64 **RECOMMENDATION FROM CABINET – 26TH NOVEMBER 2018 – NORTH ESSEX GARDEN COMMUNITIES LTD – SHAREHOLDER APPROVALS AND UPDATE**

INFORMATION: Consideration was given to a report which sought the Council's agreement to continue to support North Essex Garden Communities Ltd as the strategic delivery vehicle for the North Essex Garden Communities projects through the approval of an Interim Business Plan, Budget and Financial Procedures. Members were informed that the report was in essence the same report that had already been submitted to the committee at Colchester Borough Council and was due to be submitted to the committee at Tendring District Council as well.

There was one issue for the consideration of Members; recommendation 4 from Cabinet, which was as follows:

"That Cabinet recommends to Council that it allocates £100,000 from the balance of unallocated New Homes Bonus to fund the work of NEGC Ltd in the development of the project upon a formal request by way of a NEGC Board resolution."

DECISION: That Council agrees to allocate £100,000 from the balance of unallocated New Homes Bonus to fund the work of NEGC Ltd in the development of the project upon a formal request by way of a NEGC Board resolution.

REASON FOR DECISION:

1. This report provides an update on progress to date and the current position regarding the North Essex Garden Communities Project and seeks the approval of key documents which are necessary to enable North Essex Garden Communities Limited (NEGC Ltd) to operate more effectively.
2. Note that this report does not, other than for information, address any Local Plan issues. Decisions relating to the Local Plan and any wider planning functions are dealt with separately. Any decisions made in relation to, or by, NEGC Ltd cannot predetermine or prejudice the outcome of the proper Local Plan process.

65

**RECOMMENDATION FROM CABINET – 26TH NOVEMBER 2018 –
PROPOSED DEVELOPMENT OF NEW HEALTHCARE FACILITIES ON THE
PREMDOR SITE IN SIBLE HEDINGHAM**

INFORMATION: Members were reminded that this Item was linked to Item 21 in the Private Session of the Agenda and that if any Member wished to refer to the private information contained within the report for that Item, it would be necessary for the meeting to be moved into Private Session.

DECISION: That, under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting if it is necessary to discuss Item 21 of the Agenda and the Private Report, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

Both Agenda Items were taken together to enable consideration of all issues. It was not necessary for the meeting to be moved into Private Session.

INFORMATION: Consideration was given to a report on the proposed development of the new healthcare facilities on the Premdor Site in Sible Hedingham. Councillor J McKee, Cabinet Member for Corporate Services and Asset Management, was invited to introduce the report. Members were advised that Cabinet had approved the project to build a healthcare facility on Section 106 land on the Premdor Site in Sible Hedingham. It was relayed that improved healthcare provision in one of the District's key villages was necessary to replace the outdated provided by the two existing premises that served Sible Hedingham and Castle Hedingham. Braintree District Council (BDC) had already delivered a healthcare facility at Church Lane in Braintree and also intended to deliver a Live Well Hub as part of the proposed Manor Street Regeneration Site.

It was added that whilst the scheme would provide a new healthcare facility for residents it would also generate further income for BDC. There were two reported sources of income which included the rent payable by GPs for the building itself once built, in addition to the rent payable by GPs for the car parking spaces at two sites and the nearby Osier House facility. The initial

renting year including car parking equated to 4.8% per annum with the exclusion of financing, which would equate to 1.9% if included.

DECISION (PUBLIC REPORT): That Council:

1. Notes the principles of the decisions of Cabinet and approves an overall capital budget towards the project scheme for all professional, construction and associated scheme development costs, and including an allowance for up to 5% cost variation.
2. Notes that funding of the project costs (excluding the amount already approved from unallocated New Homes Bonus) is currently proposed to be from prudential borrowing, subject to the Corporate Director (Finance) reviewing the overall financing of the capital programme taking account of the potential availability of the capital balances over the period of the Medium-Term Financial Strategy.

REASON FOR DECISION: To enable the Council to facilitate the provision of much needed modern, fit-for-purpose healthcare facilities in Sible Hedingham.

DECISION (PRIVATE REPORT): That Council:

1. Notes the principles of the decisions of Cabinet and approves an overall capital budget towards the project scheme for all professional, construction and associated scheme development costs, and including an allowance for up to 5% cost variation.
2. Notes that funding of the project costs (excluding the amount already approved from unallocated New Homes Bonus) is currently proposed to be from prudential borrowing, subject to the Corporate Director (Finance) reviewing the overall financing of the capital programme taking account of the potential availability of the capital balances over the period of the Medium-Term Financial Strategy.

REASON FOR DECISION: To enable the Council to facilitate the provision of much needed modern, fit-for-purpose healthcare facilities in Sible Hedingham.

66

VOTER ID – BRAINTREE PILOT

INFORMATION: Members received a report on the Council's decision to be a pilot area for Voter ID at the forthcoming elections in May 2019. Mr Andy Wright, Chief Executive Officer, was invited in his capacity as Returning Officer to introduce the report.

Members were reminded that Mr Wright had sent correspondence to all Members in November 2018 to advise that Braintree District Council (BDC) had been selected as one of the 11 pilot authorities at a national level, and the rationale behind the ultimate decision. It was stressed that the key focus of the Council between now and the New Year was the design of a scheme that achieved the correct balance between engendering confidence in the new electoral process whilst not discouraging those entitled to vote.

BDC was reported to be working closely with the Cabinet Office on two keys areas of the scheme; the first was the Cabinet Office's 'Mixed Model of ID,' which would require registered voters to provide either photo ID or two forms non-photo ID,

including a poll card. Should voters be unable to produce any of the relevant forms of ID, the Council was also considering the use of local election cards as a contingency for registered electors. Discussions were currently ongoing with the Cabinet Office in relation to the provision of suitable ID although a conclusion was expected in the near future. The second aspect of the scheme was the implementation of an effective communications plan in order to ensure that key messages surrounding the election and the pilot project would be successfully circulated to electors through means of direct mail to households, social media campaigns, briefing sessions for Members, candidates and other agencies and work with local partners and specialists who could infiltrate different groups within community (i.e. such as non-voters). It was added that Members would be corresponded with in the New Year and updated on the progress of the pilot scheme as the project advanced.

A closing note was also made of a recent article in the Braintree and Witham Times that regarded a legal challenge on the Government's ability to implement the pilot ID project from a District resident, further to which it was emphasised to Members that the issue was between the resident and the Cabinet Office only.

There followed a general discussion on this Item, during which some Members raised their concerns as to the ID criteria proposed under the scheme and how this might impact on various groups of registered voters such as the elderly and disabled. Other Members spoke of their support for the pilot scheme and drew attention to the success of pilot ID schemes that were launched in other areas of the country.

DECISION: That Members noted the decision of the Returning Officer to Pilot Voter Identification at Polling Stations using the Mixed ID Model for the 2019 District and Town/Parish Elections.

REASON FOR DECISION: To note Braintree District's participation as a Mixed Model pilot in the Cabinet Office Electoral Integrity ID Pilot in 2019.

67 **POLLING DISTRICT AND POLLING PLACE REVIEW**

INFORMATION: Councillor G Butland was invited to introduce a report on the duty of Local Authorities to enact reviews of polling districts and polling places under Section 17 of the Electoral Registration and Administration Act 2013.

Members were informed that the Council was required to complete the review of polling districts and polling places between 1st October 2018 and 31st January 2020.

The Council's consultation ran from 1st October 2018 to 30th October 2018 and invited comments from the District's two Members of Parliament, County and District Councillors, Parish Councils, Political parties (agents) and the District Access Group. The Members of the Developing Democracy Group (DDG) considered representations made during the consultation and those made by the Returning Officer.

DECISION:

That Council agreed:

1) That in respect of:

2.2 Coggeshall – There will be no change to Polling arrangements.

2.3 Halstead – That, the Returning Officer be authorised to secure a suitable alternative temporary solution.

2.4 Braintree AY(1) – That the existing polling place be retained.

2.5 Braintree (Manor) & (St Pauls) – That the Polling District AT/AV be redefined to using East Street and Lakes Road.

2.6 Witham (Dorothy Sayers) – That the Sports Pavilion be retained as Polling Place for this Polling District.

2.7 Rivenhall – That no change be made to the Polling arrangements to the electors of Rickstones Road/Rectory Lane, Rivenhall.

2) **CN - Witham (West)** - Members support the relocation to Witham Town Football Club of the polling place.

3) Members support the Returning Officer, where practicable, in providing access arrangements in Council buildings to polling places for the physically disabled which are proportionate and appropriate.

REASON FOR DECISION: To provide the Returning Officer with facilities appropriate to the conduct of future elections.

68

ELECTION FEES AND CHARGES

INFORMATION: As this item related to Election Fees and Charges, the Chairman requested that Mr A Wright, the Council's Returning Officer, leave the Chamber to allow Members to consider the report. Councillor G Butland, Leader of the Council, was then invited to introduce the report.

It was relayed to Members that the Council was required to have an established scale of Allowances and Fees made available to the Returning Officer and staff employed in the overall delivery of District, Town and Parish elections. The scale of Fees was last reviewed by the Council in 2014 with the recommendation that fees be increased to reflect annual salary movements in Local Government since the previous review.

Members were advised that should local elections coincide with any Parliamentary Election or Referenda fees payable to Polling Station staff and other ancillary fees and charges will be set by Government under Statutory Instrument and will therefore override any scale determined by Council.

A query was raised by Councillor P Barlow as to the reasons why the travelling allowance for Presiding Officers remained a fixed sum and why it was not increased in line with the other electoral fees. In response, the Leader agreed to seek clarification on this matter.

DECISION: That Council approved the Returning Officer Allowances and Fees outlined in the report.

REASON FOR DECISION: To review the framework of Allowances and Fees made available to the Returning Officer and staff employed for the delivery of District and parish elections.

PROPOSED AMENDMENT TO PUBLIC QUESTION TIME RULES

INFORMATION: Members were asked to consider a report on the review of the Public Question Time process following a number of issues that were raised by Councillor J Abbott during the meeting of Full Council on 8th October 2018.

Councillor Butland proposed an amendment to the recommendations included within the report following an issue raised by Councillor Mrs Scattergood in her capacity as Chairman of the Planning Committee. The amendment was for the addition of a sixth recommendation which stipulated that recommendations two and three would not apply to Planning Committee meetings and Licensing Hearings, of which would retain their existing process for public addresses to the meetings. This amendment was suggested as it would enable issues to be addressed prior to their consideration at Planning Committees and Licensing Hearings, thereby maintaining effective facilitation and flexibility of both meetings.

DECISION:

That Council agreed:

1. To amend the deadline for registering to speak at a Committee meeting (including Full Council and Cabinet) to midday on the previous working day.
2. To allow a maximum of 30 minutes for Public Question Time during Committee meetings (including Full Council and Cabinet).
3. That Members should provide a written response to members of the public, where a response cannot be provided at the meeting, within 5 working days of the respective meeting.
4. That the above recommendations come into force on 1st January 2019 and are applied to meetings from that date.
5. The Monitoring Officer to be duly authorised to amend the Constitution to reflect these recommendations.
6. That recommendations 2 and 3 above shall not apply to Planning Committee meetings and Licensing Hearings which shall retain their existing process for public addressing the meetings.

REASON FOR DECISION: To amend the Constitution's Council Procedural Rules for Public Question Time to enable greater transparency and accessibility to meetings of the Council.

REPORTS OF LEADER AND CABINET MEMBERS

INFORMATION: The Chairman invited the Leader and the Cabinet Members to introduce their reports. Following this, the Chairman invited Members to ask questions. Questions were not limited to the content of the reports and could be about matters relating to a portfolio, the powers and duties of the Council, or the District.

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

Councillor G Butland, Leader of the Council, updated Members following his circulation of the letter submitted to the Leader of Essex County Council (ECC) which expressed the need for both Authorities to work together on the subject of budgets, and the subsequent response. The Leader raised the issue of budgets again at the Essex Leader's Meeting during the previous week. The Leader stressed to Members that he had done his utmost to ensure that there was no unprecedented cost aversion from ECC to second tier Authorities.

Councillor D Bebb, Cabinet Member for Finance and Performance, had nothing to add to his report.

Councillor T Cunningham, Cabinet Member for Economic Development, added to his report by making reference to the success of the Christmas Lights Switch-On on 17th November 2018. Gratitude was expressed to all involved with the day which included members of the Council and local residents. Congratulations were also expressed to Witham, Halstead and other communities across the District for the success of their respective Switch-On events. A further update was also provided in relation to the I-Construct Innovation and Construction Project which was reported to be progressing well. The European Regional Development funding had been approved in principle, and the Council was working in close partnership with its Haven Gateway Partnership colleagues and its own professional team to further the project. It was anticipated that a comprehensive planning application would be submitted in early 2019 with construction expected to commence in 2019.

Councillor Mrs Bowers-Flint, Cabinet Member for Planning and Housing, had nothing to add to her report.

Councillor J McKee, Cabinet Member for Corporate Services and Asset Management, updated Members as to the latest winner of the Employee of the Month Award for November 2018, of whom was confirmed as Christopher Paggi, Planning Development Manager. Mr Paggi, who was still fairly new to the post following the retirement of his predecessor, was reported to be under a great deal of pressure in his dual role as Area and Planning Development Manager. In light of the array of challenges currently being experienced, Mr Paggi had frequently worked late evenings and weekends to ensure that the Planning Department could continue to function as effectively possible. The commitment and dedication displayed by Mr Paggi was noted as being above and beyond the requirements of his role, and recognition of his hard work and efforts was supremely deserved. Two other nominees were also mentioned and highly commended for their efforts as well; Lauren Wiffen, Communications Officer, and Tom Maguire, IT Technician Apprentice. Miss Wiffen was praised for her relentless commitment to her role and high levels of communication she provided for the organisation and in encouraging people to visit the town centre in Braintree. Mr Maguire was also lauded for his hard work, enthusiasm and willingness to help others, even on days when he was not present on site.

Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, had nothing to add to her report.

In absence of Councillor P Tattersley, Councillor F Ricci, Deputy Cabinet Member for Health and Communities, was invited to introduce the Portfolio Holder report. Councillor Ricci had nothing to add to the report.

Members asked several questions arising from the reports. A webcast of the questions to and responses of Cabinet Members is available on the Council's website at www.braintree.gov.uk.

The main topics covered were as follows:

- Councillor Abbott enquired as to whether the Leader agreed that the Council would not have a sound and complete adopted Local Plan until sometime in the year 2020.
- Councillor Mrs Pell raised a query in regard to the outcome of the meeting held with ECC on the subject of town centre improvements in Halstead.
- Councillor Rose commended plans to stimulate economic development within the District but sought an update as to the progress and development of the proposed enterprise centre in Witham.
- Councillor Mann raised a query in relation to the number of recorded rough sleepers in the District and where those individuals had been identified.
- Councillor Mann raised a second query in relation to the number of fake street beggars that had been identified in the District and where these people were, further to an article featured in the Braintree and Witham Times on Operation Interact that was being conducted by the police in relation to fake begging.
- Councillor Abbott queried whether the planning permissions figures included in Councillor Mrs Bowers-Flint's report related to full planning permissions granted, outlined permissions or both on the various categories of land.
- Councillor Abbott questioned the Council's support of statements made under Planning Policy Strategies that claimed rural areas would be protected from unallocated add-on housing developments, especially when the number of houses granted planning consent or had submitted planning applications for areas such as villages on unallocated sites that were not included as part of the original Local Plan.
- Councillor Mrs Pell sought clarification as to whether the Braintree Integrated Transport Package encompassed the District as well as Braintree and requested any updates that could be provided as to the latest in relation to the upgrading of the A131 route from Chelmsford to Sudbury and the ramifications this would have on Halstead.
- Councillor Mrs Bowers-Flint commented on her delight that Christopher Paggi had achieved the Employee of the Month Award and echoed the praise given by the Cabinet Member for Corporate Services and Asset Management for his hard work and commitment, emphasising the pressure Mr Paggi had been under from the offset since the commencement of his role. Mrs Bowers-Flint also added her commendations to Tom Maguire for the outstanding work and enthusiasm he had displayed since joining the Authority as an Apprentice.

- Councillor Barlow enquired as to whether the Council would undertake a review of Tier 3 and Tier 4 libraries in the District, particularly in regard to their use as a community hub and any services offered to children and young families.
- Councillor Mrs Garrod raised a concern in relation to mobile libraries in rural areas and the potential impact on them of the proposed consultation by ECC.
- Councillor Abbott believed that ECC had already consulted on the future of mobile libraries and raised a question in regard to the Council's response to the potential closure of the Silver End Library which was situated in the village hall, a Council owned building.
- Councillor Mrs Beavis reminded Members that she was the Deputy Cabinet Member for Children and Families at ECC.
- Councillor Hensman praised the support that Trevor Wilson and his team in Finance provided in the form of a Carer's Disregard in Council Tax toward a resident who was caring for a disabled relative in the midst of a referral.
- Councillor Hensman also commended Officers in the Housing Team and in particular, Officers Chantelle Hyde and Sue Axtell, for their invaluable assistance after a resident approached him for housing support.
- Councillor Abbott welcomed the inclusion of the Silver Street Pavilion formal handover to the Francis Crittall Pavilion Trust on Saturday, 15th September 2018 in the Cabinet Member's report for Environment and Place, and for Councillor Mrs Schmitt's and the Council's support in respect of the event.
- Councillor Abbott raised a query in regard to litter picking on grass verges in the District and whether there was a policy in place for this to be done.
- Councillor Abbott raised a question as to whether Councillor Mrs Schmitt, Cabinet Member for Environment and Place, would consult with Councillor Abbott in his capacity as ECC Elected Member and other ECC Officers on the appropriate type of LED lighting to be used in car parks located near to protected areas such as River Walk, Witham, where wildlife such as bats could be affected adversely by the brightness of such lights.
- Councillor Rose requested that Councillor Mrs Schmitt, Cabinet Member for Environment and Place, liaise with the Landscape Architect in respect of the regeneration of the Spa Road Shopping Area and the appearance of the new walkway colonnade.
- Councillor Rose raised concerns about the two hour car parking limit at the new leisure facility in Spinks Lane, Witham, and queried how many fines had been issued by Parking Eye to users of the centre.

The following action was agreed in response to questions raised by Members:

- Councillor T Cunningham, Cabinet Member for Economic Development, confirmed he would update Members in due course on the outcome of discussions held with Officers at ECC on the subject of town centre improvements in Halstead.

- Councillor Mrs Bowers-Flint, Cabinet Member for Planning and Housing, agreed to make representations on behalf of the Council to the MHCLG to allow for greater freedom in relation housing borrowing powers that other Authorities were permitted under the freedoms of the Homeless Reduction Act (HRA).
- Councillor J McKee, Cabinet Member for Corporate Services and Asset Management, confirmed that he would make information from ECC regarding the future of library usage in the District accessible for Members as soon as this became available through means of a written response.
- Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, agreed to consult with Councillor Abbott in respect of LED lighting in car parks, especially near River Walk in Witham where consideration was needed toward issues relating to the impacts of brightness on bats.
- Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, agreed to liaise with the Landscape Architect in order to urge Greenfields, as the responsible party, to replace the woodwork on the new colonnade in the Spa Road Shopping Area, Witham.
- Councillor F Ricci, Deputy Cabinet Member for Health and Communities, stated that he would confirm whether the car parking limit at the leisure centre in Spinks Lane, Witham, only applied to non-members of the facility, and whether he could obtain any details in relation to issued fines from Parking Eye.

71 **LIST OF PUBLIC MEETINGS HELD SINCE LAST COUNCIL MEETING**

INFORMATION: No matters were raised.

DECISION: That Members noted the Minutes published.

The meeting commenced at 7.15pm and closed at 10.27pm.

Councillor Miss V Santomauro
(Chairman)