

Minutes

Council Meeting

16th April 2012



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

Present:

Councillors	Present	Councillors	Present
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	Yes
Councillor R J Bolton	Apologies	Councillor G Butland	Yes
Councillor C A Cadman	Yes	Councillor S Canning	Yes (from 7.35pm)
Councillor T G Cunningham	Yes	Councillor J G J Elliott	Yes
Councillor Dr R L Evans	Yes	Councillor A V E Everard	No
Councillor J H G Finbow	Yes	Councillor M J Fincken	Yes
Councillor L B Flint	Yes	Councillor T J W Foster	Apologies
Councillor M E Galione	Apologies	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 D J Louis	Yes	Councillor C Louis	Yes
Councillor E R Lynch	Apologies	Councillor D Mann	Yes
Councillor J T McKee	Yes	Councillor R G S Mitchell	Yes
Councillor J M Money (Chairman)	Yes	Councillor Lady P Newton	Apologies
Councillor J O'Reilly-Cicconi	Apologies	Councillor Mrs I C F Parker	Apologies
Councillor J A Pell	Yes	Councillor R P Ramage	Yes
Councillor D M Reid	Yes	Councillor D E A Rice	Apologies
Councillor F Ricci	Yes	Councillor W J Rose	Yes
Councillor V Santomauro	Yes	Councillor W D Scattergood	Yes
Councillor W Schmitt	Yes	Councillor A F Shelton	Yes
Councillor L Shepherd	Yes	Councillor C Siddall	Yes
Councillor G A Spray	Yes	Councillor J S Sutton	Yes
Councillor J R Swift	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	Yes	Councillor B Wright	Yes

The meeting commenced with a minute of all those present standing in silence in memory of The Late, The Lord Newton on Braintree. The Chairman expressed her condolences of behalf of the Council to Councillor Lady Newton and her family. The Leader, and the Leaders of the Labour and the Green Groups all paid tributes to Lord Newton.

66. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed the three newly elected Councillors Green, Lynch and Ricci. Former Councillors C Sandbrook, S Sandbrook and Messer will be receiving citations to mark their respective periods of service to the Council.

The Chairman also congratulated Witham Town Football Club on its promotion to the Ryman League and announced the winner of the Loving Your High Street award.

A presentation was also made to Sharon Lowe, Assistant Chief Executive, who will be leaving the Council at the end of April after 23 years of service to the Council. On behalf of members, the Chairman thanked Sharon Lowe for her commitment and contribution to the authority. Statements of appreciation were also made by Councillors Beavis, Barlow and Mann.

67. **CHAIRMAN'S CHARITIES**

The Chairman was pleased to present cheques to her following nominated charities for 2011-12:

- St John Ambulance, Witham Division
- Helen Rollason Cancer Charity

68. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

- Councillor Barlow declared a personal interest in Agenda Item 10, Recommendations from the Overview and Scrutiny Committee - Scrutiny of Transport and Access to Health Services across the District as a Non Executive Director of the East of England Ambulance NHS Trust;
- Councillor McKee declared a personal interest in Agenda Item 14c, Business of External Organisations, Business Development Services (BDS) and Braintree Enterprise Acorn Units (BEAU) as a Director of the New Co BEAU – BDS Board;
- Councillor Lager declared a personal interest in Agenda Item 4, Public Question Time, as a Director of Witham Public Hall Trust as a statement was made by a representative of the Trust. Councillor Lager also declared a personal interest in Agenda Item 13 Question Time, as a member of Witham Town Council and Essex County Council and as a Director of Witham Public Hall Trust;
- Councillor D Louis declared a personal interest in Agenda Item 10, Recommendations from the Overview and Scrutiny Committee - Scrutiny of Transport and Access to Health Services across the District as a Non Executive Director of the Central Essex Community Services;
- Councillor R Walters declared a personal interest in Agenda Item 14c, Business of External Organisations, Business Development Services (BDS) and Braintree Enterprise Acorn Units (BEAU) as a Director of the New Co BEAU – BDS Board.

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.

69. **MINUTES**

DECISION: That the minutes of the Council meeting held on 15th February 2012 be approved as a correct record and signed by the Chairman.

70. **QUESTION TIME**

INFORMATION: One statement was made which is listed in the Appendix to these minutes.

71. **POLICY RECOMMENDATIONS AND REFERENCES – CABINET 26TH MARCH 2012, – PAY POLICY STATEMENT 2012/13**

INFORMATION: The following Recommendations were considered:

Minute 87, Pay Policy Statement 2012/13

DECISION: That the Pay Policy Statement as detailed in Appendix A of the report be approved.

REASON FOR DECISION: To approve the Council's Pay Policy Statement for 2012/13.

72. **POLICY RECOMMENDATIONS AND REFERENCES – CABINET 26TH MARCH 2012, – NEW HOMES BONUS STRATEGY**

INFORMATION: The following Recommendations were considered:

Minute 89, New Homes Bonus Strategy

Councillor Barlow moved an amendment to the motion, seconded by Councillor Dr Evans, to increase the investment from the New Homes Bonus to enable further new affordable housing in the district from £750,000 to £1,500,000.

The Leader gave an assurance that the minimum investment in affordable housing would be £750,000. It was not clear exactly what funds would be required for infrastructure investment although it was likely that any remaining funds would be spent on affordable housing. The Leader proposed that he held discussions with Councillor Barlow on taking forward together the investments through the New Homes Bonus.

Councillor Barlow was content to withdraw his amendment on the basis of the Leader's proposal and the possibility of establishing a Scrutiny Task and Finish Group to look more closely at affordable housing.

DECISION: That the remaining £5,731,810 New Homes Bonus funding be spent in the following two specific funding areas:

1. Investment into major infrastructure projects across the district to support current and future growth of up to £4,981,810.
2. Enable further new affordable housing in the district with an investment of at least

£750,000 to deliver at least 30 affordable homes.

REASON FOR DECISION: To ensure the New Homes Bonus is designated to two key funding streams which will deliver wider benefits for the District and significant economic growth.

73. **POLICY RECOMMENDATIONS AND REFERENCES – CABINET 26TH MARCH 2012, – PARKING CONCESSIONS - BACKING OUR TOWNS**

INFORMATION: The following Recommendations were considered:

Minute 89, Parking Concessions - Backing Our Towns

INFORMATION: Members noted that one of the car parks referred to in the report should state Newland Drive (not Street), Witham.

DECISION: That balances be used to meet the financial impact of up to £95,700 to meet the cost of extending the parking concession.

REASON FOR DECISION: To provide the source of funding to continue the parking concession initiative which aims to support retailers and to encourage more people back in to Witham and Braintree to shop and increase footfall.

74. **REVISED CONSTITUTION**

INFORMATION: Members agreed that procedures in respect of proposing amendments contained in the proposed revised constitution should be reviewed at a future meeting of the Local Government Cabinet Sub-group. Subject to these procedures being reviewed, members agreed the revised Constitution.

DECISION: That the revised Constitution as described in the report be adopted.

REASON FOR DECISION: To have a Constitution that is fit for purpose.

75. **INTERIM APPOINTMENT OF THE MONITORING OFFICER**

DECISION: That the interim appointment of Emma Wisbey as the Monitoring Officer with effect from 1st May 2012 until the new Head of Governance takes up their appointment be approved.

REASON FOR DECISION: To ensure compliance with the Local Government and Housing Act 1989.

76. **RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE - SCRUTINY OF TRANSPORT AND ACCESS TO HEALTH SERVICES ACROSS THE DISTRICT**

DECISION: That the recommendations in the report be referred to Cabinet.

REASON FOR DECISION: To consider the Overview and Scrutiny report on Transport and Access to Health Services Across the District.

77. **OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REPORT 2011-12**

DECISION: That the Overview and Scrutiny Committee's Annual Report for 2011-12 be noted.

REASON FOR DECISION: To consider the Overview and Scrutiny Committee's Annual Report.

78. **STATEMENTS BY MEMBERS**

Statement by Councillor Dr Evans

Councillor Dr Evans made a statement about the Council's unsuccessful bid to pilot a neighbourhood level community budget in Witham. He referred to a number of facts contained in the bid including a greater number of young people living in Witham compared to Braintree and an unfavourable population density in Witham compared to Braintree. He also referred to pockets of deprivations in Witham with some areas the most deprived affecting children.

He described the disappointment felt by community groups in Witham who were searching for reasons for the bid being unsuccessful. He also believed lower tier authorities were better placed to understand local needs. He would welcome full information on community budgets being made available to all members together with the reasons as to why the Witham bid was unsuccessful. He would also welcome details on how Essex County Council and Braintree District Council would take forward the lost bid and believed the District Council needed to fight its corner if anything is to be salvaged from the bid. He would also have welcomed a statement from the Council on the effect of the lost bid on Witham.

Response by Councillor G Butland, Leader of the Council

The Leader did not think it was matter of fighting the County Council but one of all statutory agencies working together. The District Council is playing a pivotal role with the Leader being involved in a work stream on health and wellbeing and the Chief Executive being involved in another.

He agreed with Councillor Dr Evans on the quality of the Council bid. However, only a very small number of bids would be successful and spread over a large area of the Country. The issue for the Council is now how to take community budgeting in Witham forward with a bottom up approach. With this in mind, Cabinet Members would shortly be meeting with Witham Town Council to consider issues that might be taken forward. Following that meeting, he hoped to be able to put in some District Council resources to take matters forward and to see how this might fit in with Essex County Council's plans.

79. **QUESTIONS BY MEMBERS**

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

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

The Leader brought to the attention of members plans for the Braintree Town Centre Development scheme. The Development Contract is currently with solicitors and will hopefully soon be exchanged. At that point, the Council will be

committed to giving vacant possession of its land to Henry Boot Developments Ltd (HBDL). Once a satisfactory planning consent and associated contract conditions have been achieved, the contract will become unconditional. The Council will continue to manage the land in the meantime.

HBDL will be required to submit a planning application no later than 21 months after the exchange of contracts. Under the terms of the Development agreement, HBDL are committed to delivering the redevelopment scheme and to provide the Council with a rental return over the term of the 200 year lease. For start of construction on site, HBDL has up to 4 years and 6 months to make the contract unconditional otherwise it becomes void. The earliest date to start would be spring 2014 and the latest November 2016. The construction of the scheme is estimated to take 20 months with the earliest completion date being the beginning of 2016 and the latest July 2018.

The Leader announced that the Chief Executive has given notice that he wishes to retire from the Council on 31st December 2012. The Council will need to determine how the Chief Executive post will be filled and the Leader will write to Group Leaders with details of how he sees the process to achieve this.

Members asked several questions arising from the report. The questions and responses of Cabinet Members can be viewed on the Council's website at:

http://www.braintree.public-i.tv/core/portal/webcast_interactive/77183

Topics covered included:

- A possible contribution from the Council to the Witham Puppet festival;
- Changes to, and representation on, the Highways Panel for the district;
- Transfer of public health to local authorities;
- Road safety as a community budget priority;
- Opportunities in the district present by the Olympics;
- Improvements to Halstead Sports centre;
- Hospital Hopper fares;
- Planning Enforcement, particularly in relation to actions by National Grid in the north of the district;
- Plans for developing the north of Witham.
- Improved clearing up of litter in the district;
- Deep cleaning of town centres in the district;

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

- The Leader would read the article in the MJ to which Councillor Dr Evans referred of Sir Merrick Cockell warning that a £2bn plus health budget coming in 2013 could result in some authorities having to make cuts in services. The Leader advised that the role of local government would be for public health, not the commissioning of health services. He believed the difficulty will be for County Councils and unitary authorities who will take responsibility for public health who at the same time as they are reducing staff, will see a number of staff coming in from Health. He thought a period of time will be required for local government authorities to understand the role of public health. Should the Leader have anything to add to his response he would write to Cllr Dr Evans;
- Councillor Schmitt, Cabinet Member, Environment would pass on the appreciation of members for improved cleanliness in Halstead and Witham;
- In response to a question from Councillor Abbott, Councillor Schmitt would enquire with the Highways Agency if a schedule of work could be developed for the cleaning of the A120 in Bradwell.

(ii) **Chairmen's Statements**

INFORMATION: Councillor Spray, Chairman, Mi Community Working Group, outlined awards from the Mi Community programme. Those successful had been notified whilst feedback had been provided to those who were unsuccessful who were also invited to re-apply.

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

INFORMATION: No statements were made.

80. **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: The following annual reports were received from Council representatives on external organisations:

Organisation	Report Presented By
Braintree, Halstead and Witham Citizens Advice Bureau	Councillor Sutton
Braintree District Voluntary Support Agency	Councillor Howell
Business Development Services and Braintree Enterprise Acorn Units	Councillor McKee, Deputy Cabinet Member for Enterprise, Housing and Development

The meeting commenced at 7.15pm and closed at 10.02pm.

Mrs J M Money
(Chairman)

Council Meeting, 15th February 2012 - Statements Made

Speaker	Subject
Mr Stuart Adkins Witham Public Hall Trust	Statements regarding the Trust not receiving an award from the Mi Community Fund and a request for further consideration by the Council.