

Minutes

Council Meeting

29th July 2013



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available for 6 months at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J E Abbott	Apologies	Councillor J S Allen	Apologies
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	Yes	Councillor L B Bowers-Flint	Yes
Councillor C E Burne	Apologies	Councillor G Butland	Yes
Councillor C A Cadman	Yes	Councillor S Canning	Yes
Councillor T G Cunningham	Yes	Councillor J G J Elliott	Yes (from 7.46pm)
Councillor Dr R L Evans	Yes	Councillor A V E Everard	Yes
Councillor J H G Finbow	Yes	Councillor M J Fincken	Apologies
Councillor T J W Foster	Apologies	Councillor M E Galione	Yes
Councillor C Gibson	Apologies	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	Apologies
Councillor D J Louis	Apologies	Councillor D Mann	Yes
Councillor J T McKee	Yes	Councillor R G S Mitchell	Apologies
Councillor J M Money	Yes	Councillor Lady P Newton	Yes
Councillor J O'Reilly-Cicconi	Yes	Councillor I C F Parker	Yes
Councillor J A Pell	Yes	Councillor R P Ramage	Yes
Councillor D M Reid	Yes	Councillor F Ricci	Yes
Councillor D E A Rice	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	Yes	Councillor C Siddall	Yes
Councillor G A Spray	Yes	Councillor J S Sutton	No
Councillor J R Swift	Apologies	Councillor P Tattersley	Yes
Councillor C M Thompson	No	Councillor M Thorogood	Apologies
Councillor L S Walters	Yes	Councillor R G Walters	Yes
Councillor S A Wilson (Vice-Chairman)	Apologies	Councillor B Wright	Yes

25. **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcements covered the following:

- Sending a card to the Duke and Duchess of Cambridge to congratulate them on the birth of their son, Prince George of Cambridge;
- The death of former Braintree District Councillor, Helen Pitchforth;
- People in the district who have received awards in the Queen's Birthday Honours List;
- Armed Forces Day Flag-raising;
- Student in the district being placed fourth in the Jack Petchey Speak Out Challenge;
- Opening White Hart Tea Rooms, Great Saling;
- Rural Community Council of Essex (RCCE) – Essex Village of the Year Awards in the District;
- Chairman's Charity Golf Day on 7th August 2013.

The Leader announced that given that the last meeting of the Local Development Framework Sub-Committee had taken place on 24th July 2013, he thought, in discussion with the Chief Executive, that it would be inappropriate to expect members to consider a large volume of documentation on the draft Site Allocations and Development Management Plan at short notice. A Special meeting of the Council had, therefore, been arranged for 23rd September 2013 to consider the draft Site Allocations and Development Management Plan as the sole item for the meeting.

26. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

- Councillor Barlow declared a non-pecuniary interest in Agenda item 9, Recommendations from the Overview and Scrutiny Committee – 29th May 2013 – Task and Finish Group Review of Braintree, Halstead and Witham Citizens Advice Bureau (CAB) and Braintree District Voluntary Support Agency (BDVSA), as a Trustee of the Braintree, Halstead and Witham CAB.
- Councillor Galione declared non-pecuniary interest in Agenda item 9, Recommendations from the Overview and Scrutiny Committee – 29th May 2013 – Task and Finish Group Review of Braintree, Halstead and Witham CAB and BDVSA, as a Trustee of the BDVSA.

In accordance with the Code of Conduct, Members remained in the meeting for this item and took part in the debate and decision thereon.

27. **MINUTES**

DECISION: That, subject to recording the presence of Councillors Lady Newton, Rice, Sutton and Swift, the minutes of the meeting of the Council held on 10th June 2013 be approved as a correct record and signed by the Chairman.

28. **QUESTION TIME**

INFORMATION: There were no questions asked.

29. **SUBMITTED MOTION - REFERENDUM ON FUTURE MEMBERSHIP OF THE EUROPEAN UNION**

INFORMATION: Councillor Butland moved the motion as stated in the Agenda. The motion was seconded by Councillor McKee.

There was cross-party support, with several members speaking in support of the motion.

Councillor Butland requested that the vote on the motion be recorded. This was seconded by Councillors Bebb and Siddall.

The results of the recorded vote were as follows:

For the Motion

Councillors: Banthorpe, Barlow, Baugh, Beavis, Bebb, Bishop, Bolton, Bowers-Flint, Butland, Cadman, Canning, Cunningham, Dr Evans, Everard, Finbow, Galione, Green, Horner, Howell, Johnson, Kirby, Lager, Mann, McKee, Money, Lady Newton, O'Reilly-Cicconi, Parker, Pell, Ramage, Reid, Ricci, Rose, Santomauro, Scattergood, Schmitt, Shelton, Shepherd, Siddall, Spray, Tattersley, L Walters, R Walters and Wright **(44)**.

Against the Motion

None **(0)**.

Abstained

None **(0)**.

Absent

Councillors: Abbott, Allen, Burne, Elliott, Fincken, Foster, Gibson, C Louis, D Louis, Mitchell, Rice, Sutton, Swift, Thompson, Thorogood and Wilson **(16)**.

The motion was declared **CARRIED**.

DECISION: This Council recognises the importance to local businesses and residents of having a clear legally binding route to a referendum on future membership of the European Union. It therefore supports the Private Members Bill currently going through Parliament, introduced by Conservative MP James Wharton, to hold a referendum in 2017 or before, thus giving the voters of Braintree District a say on their relationship with the European Union.

30. **RECOMMENDATIONS FROM CABINET, 15TH JULY 2013 – TREASURY MANAGEMENT – INVESTMENT POLICY**

DECISION: That the proposed changes to the Council's Investment Policy, as detailed in Appendix B to the report, be approved.

REASON FOR DECISION: To make amendments to the Council's Investment Policy which will enable a wider diversification of the Council's investments and extend the period over which the investment of core monies can be invested.

31. **RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE – 29TH MAY 2013 – SCRUTINY REVIEW OF THE BRAINTREE DISTRICT COMMUNITY SAFETY PARTNERSHIP**

DECISION:

- 1 That the report be referred to Cabinet.
- 2 That it be recommended to Cabinet:
 - a. That consideration is given in the Community Safety Partnership's (CSP) priorities to providing greater prominence to other community safety issues outside of the police and criminal justice system. e.g. Anti-Social Behaviour.
 - b. That the Annual Partnership Plan of the CSP be published and that all publically available CSP documents are reviewed to ensure the use of plain English throughout with the aim of encouraging the public to take a greater interest in the CSP.
 - c. That the Council, through the Overview and Scrutiny Committee, receives an annual report on the performance of the CSP which takes account of how the CSP has delivered against the Council's objectives.
 - d. That, in the case of the Fire Break project, follow-up arrangements are put in place with the aim of ensuring that those young people who have gained certain experiences and qualities as a result of attending the project maintain these positive outcomes.
 - e. That, in the case of the Domestic Abuse project, the benefits are drawn out in terms of the number of people referred to the service and those able to build a new life as a result of using the service.

REASON FOR DECISION: To consider the Committee's draft report on the scrutiny of the Braintree District CSP and to refer it to Cabinet.

32. **RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE – 29TH MAY 2013 – TASK AND FINISH GROUP REVIEW OF BRAINTREE, HALSTEAD AND WITHAM CITIZENS ADVICE BUREAU AND BRAINTREE DISTRICT VOLUNTARY SUPPORT AGENCY**

DECISION: That the report and the following recommendations be referred to Cabinet:

BRAINTREE CITIZENS ADVICE BUREAU (CAB):

1. Recommendations for Braintree District Council:

- **Financial Support:** To continue to provide its core funding contribution and to maintain close partnership working with the CAB. This funding and support is essential for the CAB to provide its services to benefit local residents, who are amongst some of the most vulnerable people in the District;
- **Non-Financial Support:** To identify ways to increase its non-financial support to the CAB including:
 - In addition to the Council's representative on the Trustee Board, a deputy should be available to make sure Braintree District Council is always represented by one/two people. Both of these representatives to have voting rights;
 - In-kind support eg. PR advice, administrative assistance;
 - To provide a Member representative on the Essex-wide Group of Citizens Advice Bureaux;
- **Partnership Working:** To continue to work in partnership with the CAB and to seek opportunities to develop joint solutions to meet emerging needs;
- **Awareness Raising:**
 - To increase Parish Councils' awareness of the scope and limitations of the CAB's services;
 - To increase Members' awareness of the scope and limitations of the CAB's services through wider dissemination of its monitoring information and through the Members' Portal, Member Induction Training and Members' Evenings;

2. Recommendations for Braintree, Halstead and Witham Citizens Advice Bureau (through Cabinet):

- **Gateway Assessment Process:** To implement this process for handling enquiries as quickly as possible with the support of all staff and volunteers. This was strongly supported by the Task & Finish Group who felt that this new procedure should be able to be implemented as quickly as possible and would seem to be the way forward to progress the future increase in enquiries in a shorter amount of time;
- **Volunteers:** To investigate opportunities to recruit volunteers for appropriate tasks that do not require extensive, lengthy training as advisers, eg. administrative tasks;
- **Fund-raising:** They should develop a fund-raising strategy to enable the CAB to identify potential sources of funding and achieve increased income from a wider range of sources;

- **Opening Hours:** To investigate whether it is feasible to extend opening hours for appointments at weekends, and/or evenings in order to increase access;
- **Premises:** To seek a satisfactory solution to the problems arising from the Braintree premises through further discussions with the Council's Estates Department.

BRAINTREE DISTRICT VOLUNTARY SUPPORT AGENCY (BDVSA)

1. Recommendations for Braintree District Council

- **Financial Support:** To continue to provide its core funding contribution and to maintain close partnership working that sustains and values both BDVSA and the local voluntary sector;
- **Non-Financial Support:** To identify ways in which it could provide non-financial support to BDVSA including:
 - In addition to the Council's representative on the Executive Committee, a deputy should be available to make sure Braintree District Council is always represented by one/two people. Neither of these representatives would have voting rights;
 - To make representations on BDVSA's behalf to support them in securing funding from Essex County Council and the NHS Clinical Commissioning Group;
- **Awareness Raising:**
 - To increase Members' awareness of the services BDVSA provides through wider dissemination of its Newsletter, monitoring;
 - Information and through Member Induction Training and Members' Evenings;
 - To provide more information and improved links to BDVSA on the Council's website.

2. Recommendations for BDVSA (through Cabinet)

- **New Premises:** To investigate alternative premises to provide a higher standard of accommodation and a more positive environment. This would greatly enhance BDVSA's image, presence and working conditions for its staff. It is the Task and Finish Group's opinion that this could help to re-energize the organisation and encourage it to be more proactive in promoting its services to the voluntary sector. It will enable staff to work more productively in less cramped conditions, with room for volunteers to be used to undertake work to support, or expand the activities of BDVSA eg. volunteers working on publicity and promotion. Possible accommodation options to be investigated include:
 - The Council's property portfolio: an initial discussion has taken place

between the Chair of the Task and Finish Group and the Council's Head of Asset Management;

- Accommodation at Greenfields Community Housing offices: The Chair of the Task and Finish Group has met Greenfields' Community Empowerment Manager who will make further enquiries;
- Empty shop premises in a town centre;
- Creation of a community hub for a variety of voluntary organisations (including BDVSA) to operate from;

However, it is noted that BDVSA may struggle to secure adequate premises without incurring additional costs (rent, heat, etc.) as they enjoy a peppercorn rent of £620 per annum, excluding electricity, at their current premises.

- **Profile Raising/Publicity:** To consider ways to ensure that more organisations that could benefit from their services are made aware of them eg. use of in-kind specialist advice and/or volunteer support for publicity campaigns.

REASON FOR DECISION: To consider the Task and Finish Group's report and to refer it to Cabinet.

33. **APPOINTMENT OF THE MONITORING OFFICER**

INFORMATION: Members approved the appointment of Ian Hunt as the Monitoring Officer with effect from taking up his appointment with the Council and thanked Emma Wisbey for her work as the Interim Monitoring Officer.

DECISION: That the appointment of Ian Hunt as the Monitoring Officer, with effect from taking up his appointment with the Council, be approved.

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

34. **QUESTIONS BY MEMBERS**

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

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

The Leader informed Members of the news that Ramsey College, Halstead, which had been put in special measures in May 2012, had recently been inspected by Ofsted and judged to be good at grade 2 (a good school effective in delivering outcomes, providing well for all pupil needs with pupils well-prepared for the next stage of education, training, or employment).

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.

Main topics covered were as follows:

- Hughes-Hallet Independent Commission into Health and Social Care Strategy in Essex;
- Health and well-being resources in the District;
- The expected value of the forthcoming Peer Challenge of the Council.
- Improvements to Witham town centre;
- Timescales for improvement works to the junction of South Street/Fairfield Road, Braintree.

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

- Councillor Bebb, Cabinet Member, Performance and Efficiency, agreed to provide Councillor Barlow with details of the extra costs to the Council in pursuing an additional 325 Council-tax debt liability orders.
- The Chief Executive would provide all Members with the presentation to Cabinet on customer satisfaction results.

(ii) **Chairmen's Statements**

INFORMATION: No statements were made.

(iii) **Oral Questions Without Notice**

INFORMATION: No questions were raised.

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

INFORMATION: No matters were raised.

35. **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 8.26pm.

W D Scattergood
(Chairman)