

Minutes

Annual Meeting of the Council

20th April 2009



Present:

| Councillors | Present | Councillors | Present |
|--------------------|----------------|----------------------|--------------------|
| J E Abbott | Yes | E R Lynch | Yes |
| M J Banthorpe | Yes | M Lynch | Yes |
| Miss L Barlow | Apologies | D Mann | Yes |
| J Baugh | Yes | T McArdle | Yes |
| Mrs J C Beavis | Yes | N G McCrea | Yes |
| D L Bebb | Yes | J McKee | Yes (from 7 .20pm) |
| E Bishop | Yes | H J Messenger | Yes |
| R J Bolton | Yes | A M Meyer | Yes |
| G Butland | Yes | R G S Mitchell | Yes |
| G Cohen | Yes | Mrs J M Money | Yes |
| J C Collar | Yes | Lady Newton | Yes |
| M Dunn | Yes | J P O'Reilly-Cicconi | No |
| Mrs E Edey | Yes | Mrs J A Pell | Yes |
| J G J Elliott | No | R Ramage | Yes |
| R Elliston | Yes | D M Reid | Yes |
| Dr R L Evans | Yes | D E A Rice | Yes |
| A V E Everard | Apologies | Mrs C Sandbrook | Yes |
| J H G Finbow | Yes | Mrs W D Scattergood | Yes |
| Ms L B Flint | Yes | Mrs J W Schmitt | Yes |
| T J W Foster | Yes | A F Shelton | Yes |
| Mrs B A Gage | Yes | Mrs L Shepherd | Yes |
| M G Gage | Yes | C Siddall | Yes |
| Mrs M E Galione | Yes | Mrs J A Smith | Yes |
| J E B Gyford | Yes | Mrs G A Spray | Yes |
| N R H O Harley | Apologies | F Swallow | Yes |
| Mrs S A Howell | Yes | Miss M Thorogood | Yes |
| P J Hughes | Yes | S M Walsh | Yes |
| D L Hume | Yes | R G Walters | Yes |
| M C M Lager | Yes | R N Wilkins | Apologies |
| S J Lambourne | Apologies | T S Wilkinson | Yes |

The Chairman welcomed all Councillors and members of the public and press to the meeting, and drew attention to the evacuation procedure in case of an emergency, and the need for Members to use the microphones.

Councillor Lady Newton, as outgoing Chairman, firstly thanked all members for their business-like approach, support and good humour during her two-year term as Chairman of the Council. This had been a privilege and a learning experience – on both District issues and also on a personal basis. Secondly, thanks were extended to all Town/Parish Councils,

community groups and voluntary organisations for their goodwill and kindness; and thirdly to the Civic Team of Donna Walton, Angela Whybrew and Linda Parish for their efficiency and helpfulness, and her chauffeur Dave Blute for his support. In conclusion, Councillor Lady Newton thanked the Vice Chairman and the Chief Executive for their support and presented them both with gifts, as a token of her appreciation.

Councillor Butland responded by thanking Councillor Lady Newton on behalf of the Conservative Group for her 'magnificent' two years as Chairman, the 130 engagements undertaken in the past year, and on her commitment to the District. Tribute was also expressed to Councillor Margaret Galione, the Vice Chairman, for her support including 50 functions during the civic year.

Councillor Dr Evans thanked the Chairman on behalf of the Labour Group, and stated she had successfully managed two roles – firstly, as Chairman of the Council, being the chief representative for the Council and on a community role; and secondly for the duty of chairing the Council meeting. In both roles, an exceptional standard of professionalism had been shown, including encouragement for new members, and knowledge on matters of procedure. Councillor Dr Evans also expressed thanks to the Vice Chairman, for her stalwart duties in that role.

Councillor Michael Gage paid appreciation to the Chairman on behalf of the Halstead Residents Association, and for her visits to Halstead, including some with the Vice Chairman. Councillor Abbott on behalf of the Green Group, agreed with previous speakers on paying tribute to the Chairman, and stated that she was an active Chairman, with an attitude of fairness, and had raised significant sums for local charities.

The Chief Executive, Allan Reid, thanked the Chairman and presented her with a signed citation, an album recording events from her two years in office, and the badge for past Chairman.

1 **ELECTION OF CHAIRMAN FOR THE YEAR 2009/10**

DECISION: That Councillor Mrs M E Galione be elected as Chairman of the Council for the year 2009/10.

Councillor Mrs Galione then received the Chairman's Chain of Office and signed the Declaration of Acceptance of Office.

On taking her seat, the Chairman thanked Members and stated it was a great privilege to be Chairman of the Council, and continued to refer to her 'two-year apprenticeship', the places visited and the interesting people she had met in that period, and that she looked forward to receiving Members' support in the coming year.

2 **APPOINTMENT OF VICE-CHAIRMAN FOR THE YEAR 2009/10**

DECISION: That Councillor A F Shelton be appointed Vice-Chairman of the Council for the year 2009/10.

Councillor Shelton was presented with the Vice Chairman's badge and signed the Declaration of Acceptance of Office. Councillor Shelton expressed his appreciation for the confidence placed with him in being appointed Vice Chairman and advised he would do his utmost to support the Chairman and to represent the District Council throughout the district.

3 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred to the following issues:-

- (1) The **lists of engagements** carried out by herself and Councillor Lady Newton during the Civic Year 2008/09.
- (2) That the list of the **Chairman's chosen charities for 2009/10** will be available at the next Council meeting.

4 **MINUTES**

DECISION: That the minutes of the meeting of the Council held on 6th April 2009 be approved as a correct record and signed by the Chairman.

5 **DECLARATIONS OF INTEREST**

INFORMATION: There were no declarations of interest

6 **ANNOUNCEMENT OF THE LEADER OF THE COUNCIL**

The Chairman of the Council advised that, as set out in the Constitution, the Leader of the majority Group, Councillor Graham Butland, was the Leader of the Council for the year 2009/10. She then invited the Leader to announce his Cabinet.

7 **LEADER'S STATEMENT**

(a) **Announcement of Cabinet and Deputy Portfolio Holders**

Councillor Butland announced that his Cabinet would be as follows:-

| Portfolio | Portfolio Holder | Deputy Portfolio Holder |
|---|-------------------------|--------------------------------|
| Leader | Graham Butland | Chris Siddall |
| Deputy Leader and Portfolio Holder for Enterprise & Culture | Nigel Harley | Nigel McCrean Tim Wilkinson |
| Portfolio Holder for Environment and Sustainability | Roger Walters | Robert Mitchell |
| Portfolio Holder for Customers & Communication | Joanne Beavis | David Bebb |
| Portfolio Holder for Communities | Wendy Schmitt | Elizabeth Edey |
| Portfolio Holder for Housing & Well-Being | Lady Newton | Gabrielle Spray |
| Portfolio Holder for Efficiency & Resources | Michael Lager | John McKee Claire Sandbrook |

In announcing his Cabinet Councillor Butland advised that portfolio holders are to define the area covered by the Cabinet member, and that of their deputy/deputies. Council was also informed that with effect from the next Council meeting (22nd June 2009) statements from Cabinet Members would be by written reports circulated with the agenda papers.

(b) Leader's Statement

The Leader of the Council had no further report.

8 **APPOINTMENT TO COMMITTEES /PANELS**

The Leader of the Council advised that the Conservative Group is entitled to 21 of the 30 seats on the Planning Committee and the Licensing Committee, and presented two options for achieving political balance (paper tabled at the meeting). Council was advised that if the preferred proposal, Option 2, was supported with 10 Conservative members on the Planning Committee, and 11 on Licensing Committee the only seats available under the Widdicombe rules would be one on Planning and one for Overview & Scrutiny. The Independent Member had sat on the Planning Committee during the 2008/09 civic year and Option 2 proposes that this continues, and the seat on Overview & Scrutiny be for the Liberal Democrat Member. The Leader moved Option 2, this was seconded, and on being put to the vote was CARRIED.

The Leader of the Council moved the appointment of Committees/Panels as listed on Appendices 1, 2 and 3 attached to the agenda.

Members formally noted that

- (a) It is recommended that Councillor Ms Flint, (Independent Member) take up one of the Conservative places on the Planning Committee,
- (b) It is recommended that Councillor Rice, (Liberal Democrat Member), take up the one remaining space on the Overview & Scrutiny Committee, and
- (c) That on the Employment Appeals Panel, it is recommended that Councillor M G Gage (Halstead Resident's Member) take one Conservative seat to provide an 'independent' balance on the Panel. It was noted that Councillor E R Lynch would be the Labour appointment on the Reserves list for the Employment Appeals Panel.

DECISION:

- 1. That Option 2 on achieving political balance (as indicated above) be approved.
- 2. That the appointment of Members to the following Committees/Panels be confirmed:-

(1) Braintree Local Committee

Councillors M J Banthorpe, J Baugh, E Bishop, G Butland, M Dunn, Mrs E Edey, A V E Everard, J H G Finbow, Ms L B Flint, E R Lynch, M Lynch, D Mann, T McArdle, J McKee, Lady Newton, D M Reid, D E A Rice, Mrs C Sandbrook, Mrs J W Schmitt, Mrs L Shepherd, Mrs J A Smith, Miss M Thorogood, S M Walsh, R G Walters, R N Wilkins and T S Wilkinson.

(2) Halstead Local Committee

Councillors Mrs J C Beavis, R J Bolton, J C Collar, Mrs B A Gage, M G Gage, N R H O Harley, D L Hume, N G McCrea, H J Messenger, J P O'Reilly-Cicconi, Mrs J A Pell, Mrs W D Scattergood, A F Shelton, C Siddall, Mrs G A Spray and F Swallow.

(3) Witham Local Committee

Councillors J E Abbott, Miss L Barlow, D L Bebb, G Cohen, J G J Elliott, R Elliston, Dr R L Evans, T J W Foster, Mrs M E Galione, J E B Gyford, Mrs S A Howell, P J Hughes, M C M Lager, S J Lambourne, A M Meyer, R G S Mitchell, Mrs J M Money and R Ramage.

(4) Planning Committee

Councillors J E Abbott, E Bishop, J C Collar, Mrs E Edey, Ms L B Flint, T J W Foster, Mrs B A Gage, Mrs M E Galione, D Mann, Mrs J M Money, Lady Newton, J P O'Reilly-Cicconi, Mrs W D Scattergood, Mrs L Shepherd and Mrs G A Spray.

(5) Licensing Committee

Councillors M J Banthorpe, J C Collar, J G J Elliott, R Elliston, J H G Finbow, Mrs S A Howell, P J Hughes, E R Lynch, M Lynch, T McArdle, A M Meyer, Mrs J A Pell, A F Shelton, Mrs J A Smith and F Swallow.

(6) Overview and Scrutiny Committee

Councillors J Baugh, G Cohen, M Dunn, Dr R L Evans, M G Gage, J E B Gyford, A M Meyer, R Ramage, D E A Rice, A F Shelton, Mrs J A Smith and F Swallow.

(7) Local Development Framework Panel

Councillors G Butland, A V E Everard, N R H O Harley, M C M Lager, N G McCrea, H J Messenger, Lady Newton, Mrs W D Scattergood, Miss M Thorogood and R G Walters.

(8) Audit Committee

Councillors G Cohen, D L Hume, M Lynch, Mrs J M Money, D M Reid, Mrs J A Smith, F Swallow and S M Walsh.

(9) Employment Appeals Panel

Councillors J C Collar, Dr R L Evans and M G Gage; and reserves being Councillor J G J Elliott, R N Wilkins and E R Lynch.

(10) Standards Committee

Councillors Mrs J C Beavis, J H G Finbow, M Lynch, and J P O'Reilly-Cicconi.

Independent representatives are Ms K Harman, T Jones, Ms H Paton, P Schwier and C Webb.

Parish representatives are W Fossick, S Goodfellow and M Phillips.

9 **MEMBERSHIP OF THE INDEPENDENT REMUNERATION PANEL**

DECISION: That the membership of the Independent Remuneration Panel is established in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003, and that the current Membership of the Panel comprising of J Burrow (pending new appointments), D Dyson and Mrs R Whitlam be noted.

AT THIS POINT IT WAS MOVED, SECONDED AND RESOLVED THAT THE MEETING OF THE COUNCIL BE ADJOURNED TO ENABLE THE COMMITTEES AND PANELS (Minute 8(1-9)) TO MEET TO APPOINT THEIR RESPECTIVE CHAIRMEN AND VICE-CHAIRMEN.

Adjournment

Council Meeting Continued

10 **SCHEME OF DELEGATION**

The Leader advised that the recently approved amendments to the Constitution is currently not available on the website and that, without the Members having an opportunity to view the changes, it is inappropriate to confirm the Scheme of Delegation. Therefore, it is proposed to formally receive this item at the Council meeting on 22nd June 2009. In the interim period all Group Leaders are to be advised if any delegation outside the current scheme is exercised.

DECISION:

1. That the current Scheme of Delegation be approved.
2. That the approved amendments to the Constitution be viewed on the Council's website by Members and be considered at the Council meeting on 22nd June 2009.
3. That Group Leaders are advised before any delegation outside of the current scheme is exercised during the interim period.

11 **APPOINTMENT OF /GROUPS/BOARDS/PANELS**

DECISION: That the following Councillors be appointed to the Groups/Boards/Panels as listed below:-

(1) **Braintree District Local Strategic Partnership (PACT) Executive**

Councillor G Butland (to serve on the Executive) and Councillor C Siddall (to serve on the Steering Group).

(2) Children and Young People Strategic Partnership

Councillors Mrs J W Schmitt or Mrs E Edey (Cabinet Member or Deputy)

(3) Crime and Disorder Reduction Partnership

Councillors Mrs J W Schmitt or Mrs E Edey (Cabinet Member or Deputy)

(4) Culture and Leisure Partnership Board

Councillors J Baugh, M Dunn, A V E Everard, D L Hume, Mrs G A Spray and Councillors N R H O Harley or Councillor McCrea/ Councillor Wilkinson (Cabinet Member or Deputies).

(5) Economic Development & Transportation Partnership Board

Councillors J C Collar, M G Gage, N R H O Harley (Cabinet Member), D Mann, N G McCrea, Mrs J M Money and T S Wilkinson.

(6) Health, Housing and Well Being Partnership Board

Councillor Lady Newton or Mrs G A Spray (Cabinet Member or Deputy).

(7) The Compact Review Group

Councillor Mrs E Edey.

12 **APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE ORGANISATIONS**

INFORMATION: Members were requested to consider appointing representatives to a list of organisations where appointments are required to be made by the Council. Details of the Council's existing policy with regard to appointments to external organisations were listed on the Agenda.

DECISION: That appointments be made to the following organisations for the Civic Year 2009/10:-

| <u>Name of Organisation</u> | <u>Name of Representative(s)</u> |
|--|---|
| Braintree District Arts Council | Councillor J Baugh Councillor A V E Everard |
| Braintree Police and Community Consultative Group | Councillor A M Meyer Councillor R Ramage Councillor Mrs J W Schmitt |
| Campaign to Protect Rural Essex | Councillor D L Bebb |
| Eastern Arts Board Local Government Forum (Eastern Region) | Councillor J G J Elliott |
| Eastern Orchestral Board | Councillor S J Lambourne |

| | |
|---|--|
| Greenfields Community Housing Board | Councillor M J Banthorpe Councillor D Mann Councillor A F Shelton |
| Greenfields Community Housing – Community Fund | Councillor G Butland Councillor M C M Lager Councillor Mrs J W Schmitt |
| Home-Start Braintree & Witham | Councillor Mrs M E Galione |
| Local Government Association Rural Commission | Councillor Mrs J C Beavis |
| Local Government Association Urban Commission | Councillor M C M Lager |
| Museums in Essex Committee | Councillor Mrs S A Howell |
| Stansted Airport Consultative Committee | Councillor N R H O Harley |

13 ANNUAL TIMETABLE OF MEETINGS 2009/10

DECISION: That the timetable of Council meetings, up to the Council AGM on 19th April 2010, as set out on the Timetable of Meetings 2009/10 be confirmed.

The meeting commenced at 7.15pm and closed at 8.08pm.

Mrs M E Galione
(Chairman)