

# Minutes

## Council Meeting



17<sup>th</sup> July 2023

These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A recording of the meeting is available on the Council's YouTube Channel at <http://www.braintree.gov.uk/youtube>

Present:

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
Councillor J Abbott	Yes	Councillor L Jefferis	Yes
Councillor D Abram	Yes	Councillor J Martin	Yes
Councillor M Ault	Apologies	Councillor S Mason	Yes
Councillor J Ayten	Yes	Councillor A Munday	Yes
Councillor J Baugh	Yes	Councillor I Parker	Apologies
Councillor J Beavis	Apologies	Councillor J Pell	Yes
Councillor J Bond	Yes	Councillor G Prime	Yes
Councillor K Bowers	Yes	Councillor S Rajeev	Yes
Councillor L Bowers-Flint	Yes	Councillor R Ramage	Yes
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor J Coleridge	Yes	Councillor P Schwier	Yes
Councillor G Courtauld	Yes	Councillor G Spray	Yes
Councillor M Cunningham	Yes	Councillor M Staines	Yes
Councillor T Cunningham	Yes	Councillor B Taylor	Yes
Councillor C Dervish	Yes	Councillor W Taylor	Yes
Councillor T Diamond	Yes	Councillor M Thorogood	Yes
Councillor J Edwards	Yes	Councillor P Thorogood	Yes
Councillor C Finch	Yes	Councillor R van Dulken	Yes
Councillor M Fincken	Yes	Councillor T Walsh	Yes
Councillor D Garrod	Yes	Councillor L Walters	Apologies
Councillor M Green	Yes	Councillor E Williams	Yes
Councillor J Hayes	Yes	Councillor T Williams	Yes
Councillor P Heath	Yes	Councillor J Wrench	Yes
Councillor D Holland	Yes	Councillor B Wright	Yes
Councillor A Hooks	Yes		

12 **MINUTES**

**INFORMATION:** Members were made aware of two minor typographical errors within the Minutes which would be amended upon approval.

**DECISION:** That the Minutes of the meeting of the Council Annual General Meeting held on 25<sup>th</sup> May 2023 be approved as a correct record and signed by the Chairman.

13 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared

Councillor J Baugh declared an interest in Agenda Item 7 'Issues Effecting the District Debate' as he intended to speak on issues directly affecting a number of roads throughout the District, including Church Lane, Braintree of which he was a resident.

Councillor G Butland declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC), should reference be made to ECC during the debate.

Councillor L Bowers-Flint declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC) and the DNR Committee, should reference be made to ECC during the debate.

Councillor T Cunningham declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC), should reference be made to ECC during the debate.

Councillor P Schwier declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC), should reference be made to ECC during the debate.

Councillor M Staines declared an interest in Agenda Item 7 'Issues Effecting the District Debate' as he owned a leisure business and intended to speak on tourism and leisure in the District.

Councillor B Taylor declared a non-pecuniary interest as an Elected Member of Witham Town Council, should reference be made to Witham Town Council during the debate.

Councillor P Thorogood declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC), should reference be made to ECC during the debate.

14 **QUESTION TIME**

**INFORMATION:** There were no questions asked or statements made.

15 **ANNOUNCEMENTS/STATEMENTS FROM THE CHAIRMAN AND LEADER OF THE COUNCIL**

**INFORMATION:** The following announcements/statements were made: -

The Chairman announced that since her appointment at the AGM, she had attended a total of 15 engagements and had hosted her first civic event to celebrate Armed Forces. The Chairman added that it was wonderful to meet local veterans, hear their stories and remember those who were no longer with us.

Some other highlights included a tour of Braintree Museum and the Textile Archive, and judging cakes at the Inter Care Home Bake off. The Vice Chairman kindly accompanied the Chairman to the bake off. It was noted that the NHS recently celebrated its 75th Birthday and the Chairman attended the Braintree community hospital to join their celebrations, meet the staff and received a tour of the hospital.

The Chairman added that she was really enjoying getting out in the Braintree community and was looking forward to attending many more engagements throughout the year as Chairman.

The Chairman then invited Councillor Butland, Leader of the Council to make any statements. The Leader made the following announcement:

### Wethersfield Airbase

Members would be aware that on Friday (14<sup>th</sup> June) judgement was received for the Council's Judicial Review permission hearing which was heard at the High Court last week on 12<sup>th</sup> and 13<sup>th</sup> July. This challenge was on eight grounds, which included a challenge to the Home Office on the need for planning permission to have been obtained (known as Class Q) and the Home Office failure to take a range of matters into account as part of their decision making process to use the site for accommodation of up to 1,700 asylum seekers, including the conflict with the Local Plan, health care, traffic implications and wastewater.

This challenge was also heard alongside the other judicial reviews from West Lindsey District Council for the RAF Scampton site and a resident from Wethersfield. We were pleased that Mrs Justice Thornton granted permission to proceed with the Judicial Review on the following challenges:

- Environmental Impact Assessment direction
- Reliance on the use of permitted development rights (Class Q)
- Equality Impact Assessment challenge

The Leader added that the Council was grateful to have had another opportunity to put its views and the views of the local community across to the High Court at this initial stage, and maintained that the Wethersfield Airfield was not a suitable site for these plans.

The case would now proceed to a final hearing which would be held over 2 days. This would be the Council's opportunity to formally present its challenge under the grounds on which it had been granted permission and would allow for evidence to be presented to the High Court.

The final hearing would be subject to the Court's normal case management process and at this stage, the Council did not know when the matter would be listed for a final hearing, but would update residents and Members when it knew more.

The Leader added that the total costs to the Council to date (for both the injunction and appeal legal proceedings) were £172,365,01. This included costs awarded to the Home Office and the MOD. Costs relating to the Judicial Review would be determined at the outcome of the judicial review hearing. The Council would continue to monitor the costs involved as part of the legal proceedings and would seek to recover the costs of the Judicial Review at the end of proceedings if it were successful.

It was added that this legal proceeding did not stop the Home Office from utilising the site to house asylum seekers in the meantime and the Council were aware that an initial group of 46 individuals had moved onto the site last week, and more were expected over the coming weeks.

The Leader noted that this development in the Home Office's plans had raised concerns and questions from the local community. The Home Office had informed the Council and partners that they would continue to monitor the situation and ensured the site was running smoothly and safely. Council officers would continue to work closely with the Home Office and multi-agency partners to ensure there was minimal impact on all those involved, residents that lived nearby and local services, as well as raising concerns with the Home Office so it could put in place mitigating action, whilst supporting asylum seekers coming to the district.

It was felt that there were still many pressing matters that needed addressing by the Home Office, which the Leader set out in an open letter to Robert Jenrick last week, including the lack of community engagement and the funding criteria. The Council would continue to push for clarification on these points.

The Leader added that he wanted to use the opportunity tonight to thank all officers who had worked tremendously hard behind the scenes to continue pushing for more information, engagement with the community, and for the support of all members, parish councils, residents, community groups and local MP's.

## 16 **QUESTIONS TO THE LEADER AND CABINET**

**INFORMATION:** Members were reminded that at the AGM amendments to the Council Procedural Rules for this item were agreed and these were set out in the Constitution.

The Chairman added that as this was the first meeting operating under the new rules to assist with this item, she would remind Members of how this item would operate. All Members were able ask questions of the Leader and the Cabinet on matters which related to the functions of the Leader, the Cabinet, the powers and duties of the Council or matters pertaining to the district which had taken place since the last meeting of Full Council held on 20th March 2023.

All Members could only ask one question and in line with the process, the first question would normally commence with Councillor Beavis as Leader of the Opposition. However, in view of her apologies given for the meeting, the Chairman invited Councillor Abbott, as Deputy Leader of the Group to ask his question first. The order of the remaining questions would be at the Chairmans discretion.

Members were reminded that questions must be succinct and could not be asked in parts and supplementary questions were not permitted. Members were not permitted to make statements before asking their questions.

It was added that if a response could not be given at the meeting, a written answer would be issued to the Member asking the question and circulated to all Members within 10 working days of the meeting.

Members were then given the opportunity to put their questions to the Cabinet. A webcast of the questions and the responses from the Leader of the Council and Cabinet Members is available on the Council's website and its YouTube channel at [https://braintree.public-i.tv/core/portal/webcast\\_interactive/795711](https://braintree.public-i.tv/core/portal/webcast_interactive/795711)

The main topics were as follows:-

- Councillor Abbott raised a query about the Council's complaints policy.
- Councillor Martin asked a question in relation to the frequency of grass cutting in open spaces throughout the district.
- Councillor Holland raised a query in respect of the Council's response to the latest consultation on the Norwich to Tilbury National Grid scheme.
- Councillor Staines made reference to the success of the collaborative working between officers and residents in particular in relation to the Airbase at Wethersfield.
- Councillor Edwards asked a question in relation to what was being done to tackle the issue of chewing gum on streets throughout the district.
- Councillor Heath made reference to the former play and resource centre at Great Notley Country Park and requested some more information on the future of the scheme.
- Councillor Walsh requested some further details on the Council's proposed response to the consultation on the Norwich to Tilbury National Grid scheme.
- Councillor Williams requested some information on the Councillors Community Grants Scheme, and examples on how this money had been used in the past.
- Councillor Diamond asked a question on what resources and plans the Council had put in place to help tackle the rise in homelessness.

- Councillor Wright sought clarity on the amount the Council had proposed to start charging for the collection of green waste and whether this was contradictory to schemes that Essex County Council had put in place.
- Councillor Hayes asked the Cabinet Member for an update on the Maltings Lane Community Centre.
- Councillor Thorogood made reference to HGVs using country lanes to access building sites and raised a query on the new statutory powers bestowed to Local Authorities to enforce weight limits, where they existed.
- Councillor Ramage raised a query in relation to cashless car parking ticket machines and the accessibility of these to older residents.
- Councillor Bond asked a question on what the Council's plans were to coordinate and support the Parishes in the Colne Valley with climate change activity as part of the Colne Valley climate focus area.
- Councillor Mason raised a query on the Council's position on the Government's proposal to scrap hope value.

## 17 **ISSUES EFFECTING THE DISTRICT DEBATE**

**INFORMATION:** The Chairman updated Members on the procedure that would be followed for this item. Since the publication of the report, Group Leaders had confirmed that they were happy to proceed with the standard debate process. Therefore, Group Leaders, would not be called in turn, as set out in the report, rather they would be entitled to indicate if they wished to speak alongside all other Members.

The Chairman invited Councillor Butland to open the debate. Members were then invited to participate in an open debate about local and strategic issues affecting the Braintree District. The main topics raised were as follows:-

Councillor Coleridge discussed the issue of housing development in the District. He expressed that providing new housing for future generations was important, but a balance needed to be preserved to ensure that the infrastructure was in place to support growing communities. He added that with this in mind, the Council's role in securing S106 agreements was critical and that value, timescales and scope was continuously monitored to ensure that effectiveness and impact was maintained.

Councillor Abbott spoke on the lack of progress on numerous ongoing projects in Silver End and requested an update on the following: delivery of the Conservation Area Guide, obtaining some outdoor space for the Silver End Pre-school, expansion of the Doctors Surgery, allocation of S106 money and an update on the potential plans for the old factory site.

Councillor Abbott also shared concerns over the anticipation that the percentage of households using green bins would crash by between 60-80% over the first 3 years following the introduction of the green waste charge, and that the overall recycling

rates would drop by between 8-12%. He encouraged the consideration of an all party, all Member debate on the future of green bins.

Councillor Dervish was pleased to announce the launch of Terling Football Club. The Club was officially opened on the 8<sup>th</sup> July 2023 and initially inviting 4 and 5 year olds, with plans to expand to welcome all ages and abilities. This had been a huge achievement for all the volunteers involved and the Member was confident that this would now be supported by the Council under the Livewell and Wellbeing strategy along with the FA, Essex County Council and local residents.

Councillor Jefferis raised concerns over the future of waste, and expressed the importance of communicating plans and proposals with residents. She also suggested the Council look at ways to encourage composting throughout the District, and the potential to repurpose unused green bins.

Councillor Taylor spoke in respect of Wethersfield and whether the Council would be safeguarding its nomination rights to ensure that local residents with true long-standing connections to the District had priority to social housing. Councillor Taylor also raised the issue of putting more pressure on Eastlight to deal with issues such as damp in homes and to ensure grass cutting was being maintained properly.

Councillor Fincken spoke on the issue of the relationship between the District Council and the two Town Councils in the District. He raised concerns over the proposals to transfer the management and possible ownership of Community Assets to the Town Councils. He added that the Town and Parish Councils had a responsibility to protect the interests of their residents and had concerns that there would be to higher risk on their own finances if they were to take on these assets without any financial support from the District Council.

Councillor Wrench spoke on the matter of health and was pleased to advise Members that a Community Diagnostic Centre was being built in Braintree which would support residents across the District. He added that there would be a drop-in event organised by the Mid and South Essex NHS Foundation Trust at Braintree Town Hall on the 20<sup>th</sup> July to get further information and speak to health and care representatives regarding the services the centre would offer. The centre was due to open in summer 2024 and would offer a range of tests including CT scans, blood tests, ultrasounds, MRI scans and heart and lung tests to the local community.

Councillor Staines spoke on how increasing the District's tourism and leisure efforts could help support the Local Plan and help see off existential threats by enhancing the District's image to its residents, Essex and the wider UK.

Councillor van Dulken spoke on the Essex shared network of Men's Sheds of which there were 28 either open or in development across Essex, in addition to other independent facilities across the District. Councillor van Dulken spoke on the project in Great Yeldham and extended an invitation to the Chairman to visit the facility once it was open and operating.

Councillor Walsh raised the issue of vacant, run down shops and the economic pressure for these to be converted to housing and questioned whether the planning system could be more proactive in bringing old industrial premises back into any form of use.

Councillor Baugh spoke on the infrastructure network throughout the District and the inevitable pressure on local roads and town centres that came with additional large construction sites.

Councillor Schwier raised a number of issues affecting Sible Hedingham including the completion of the Riverwalk footpath, an update on the Bank building and the need for a doctor's surgery for local residents.

Councillor Thorogood spoke on the Rivenhall incinerator and welcomed the response from the Council to the application for a Development Consent Order to increase the electricity output. Councillor Thorogood called for the Council to consider a new application or at the very least a new Environmental Impact Assessment to be carried out.

Councillor Cunningham responded to several points raised in relation to the garden waste proposals. He accepted that there would be a period of transition should the decision come to fruition, and it was expected that recycling levels in the first year would drop as a result of the process of transition. He added that members of the public were already contacting Customer Services to enquire about registering for the service and that perhaps there was a greater acceptance amongst some of the public to the reasons behind the proposals.

Councillor Edwards spoke on new developments within the District and celebrated the fact that the District Council had built 288 homes in the District during 2022, exceeding the target of 250. Councillor Edwards urged the Council to consider the aesthetic of the houses being built and encouraged the Council to 'build beautiful'. He also highlighted the need for NHS services and that new communities were properly supported.

Councillor Spray respond to some of the comments from Members and advised that the Silver End Conservation Guide was underway, an update was in progress and Members would be advised in due course.

Councillor Butland closed the debate and thanked Members for their participation. He added that his three key priorities for the administration were sound financial management and quality services, support for communities and businesses and planning policies and housing for the needs of local residents.

A webcast of the full debate can be viewed here [https://braintree.public-i.tv/core/portal/webcast\\_interactive/795711](https://braintree.public-i.tv/core/portal/webcast_interactive/795711)

The meeting commenced at 7.17pm and closed at 8.55pm.

Councillor D Garrod  
(Chairman)