

# Minutes

## Council Meeting



17th February 2020

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](http://www.braintree.gov.uk).

Present:

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
Councillor J Abbott	Yes	Councillor Mrs J Pell	Yes
Councillor J Baugh	Yes	Councillor I Pritchard	Apologies
Councillor Mrs J Beavis	Yes	Councillor M Radley	Yes
Councillor D Bebb	Yes	Councillor R Ramage	Yes
Councillor K Bowers	Yes	Councillor S Rehman	Yes
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor J Coleridge	Yes	Councillor B Rose	Yes
Councillor G Courtauld	Yes	Councillor Mrs J Sandum	Apologies
Councillor Mrs M Cunningham	Yes	Councillor Miss V Santomauro	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Scattergood	Yes
Councillor Mrs C Dervish	Apologies	Councillor Mrs W Schmitt	Yes
Councillor P Euesden	Yes	Councillor P Schwier	Yes
Councillor T Everard	Yes	Councillor Mrs G Spray	Yes
Councillor Mrs D Garrod	Yes	Councillor P Tattersley	Yes
Councillor A Hensman	Yes	Councillor P Thorogood	Yes
Councillor S Hicks	Yes	Councillor N Unsworth	Yes
Councillor P Horner	Yes	Councillor R van Dulken	Yes
Councillor D Hume	Yes	Councillor D Wallace	Yes
Councillor H Johnson	Yes	Councillor T Walsh	Apologies
Councillor Mrs A Kilmartin (Chairman)	Yes	Councillor Mrs L Walters	Yes
Councillor D Mann	Yes	Councillor Miss M Weeks	Yes
Councillor T McArdle	Apologies	Councillor Mrs S Wilson (Vice-Chairman)	Yes
Councillor J McKee	Yes	Councillor J Wrench	Yes
Councillor A Munday	Yes	Councillor B Wright	Yes
Councillor Mrs I Parker	Yes		

## 60 MINUTES

**DECISION:** The Minutes of the meeting of Full Council held on 16th December 2019 were approved as a correct record and signed by the Chairman, subject to the date of the 'Keep Britain Tidy Awards' in Minute 58 (Reports from the Leader and Cabinet Members) being amended from 2nd February 2020 to 6th February 2020.

Councillor N Unsworth indicated that a reference to him raising a question about funding for the North Essex Garden Communities was incorrect. Councillor Unsworth agreed to provide further details.

## 61 DECLARATIONS OF INTEREST

**INFORMATION:** The following interests were declared:-

Councillor J Abbott declared a Non-Pecuniary Interest in Agenda Item 8 – 'Motion by Councillor J Abbott - Proposed Rivenhall Airfield Major Waste Facility' as a Member of Rivenhall Parish Council which had supported a campaign by PAIN (Parishes Against Incineration) and had submitted representations on applications and permits.

Councillor J Abbott declared a Non-Pecuniary Interest also in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24' as a Member of Rivenhall Parish Council which was joint funding a capital project in Rivenhall with Braintree District Council.

Councillor J Abbott declared a Non-Pecuniary Interest also in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as an Elected Member of Essex County Council and a Member of Braintree Local Highways Panel.

Councillor J Abbott declared a Non-Pecuniary Interest also in Agenda Item 12f – 'Reports from the Leader and Cabinet Members (Councillor F Ricci – Communities, Culture and Tourism)' as an Ordinary Member of the North Essex Astronomical Society which was mentioned in the report.

Councillor J Baugh declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24' as a Trustee and Director of Braintree District Museum Trust Ltd.

Councillor Mrs J Beavis declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as an Elected Member of Essex County Council and a Member of Braintree Local Highways Panel.

Councillor G Butland declared a Non-Pecuniary Interest in Agenda Item 7 – 'Motion by Councillor James Abbott – North Essex Garden Communities Funding' as a non-remunerated Director of North Essex Garden Communities Ltd.

Councillor Butland stated, that as North Essex Garden Communities Ltd's need for funds in the future may be at conflict with the proposed Motion and should the Inspector's letter not be received for some time, the nature of his Non-Pecuniary

Interest had changed, such that he could no longer be seen to be making decisions in the Council's interest. Accordingly, Councillor Butland left the meeting during the consideration of this Item.

Councillor G Butland declared a Non-Pecuniary Interest also in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as an Elected Member of Essex County Council and a Member of Braintree Local Highways Panel.

Councillor Mrs M Cunningham declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as a Member of Braintree Local Highways Panel.

Councillor S Hicks declared a Non-Pecuniary Interest also in Agenda Item 12e – 'Reports from the Leader and Cabinet Members (Councillor J McKee – Corporate Transformation (Horizon 120 Business Innovation Park))' as a client was involved with electric vehicle charging.

Councillor P Horner declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as a Member of Braintree Local Highways Panel.

Councillor J McKee declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24' as a Trustee and Director of Braintree District Museum Trust Ltd.

Councillor Mrs J Pell declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24' as Chairman of Halstead Community Centre Charitable Company.

Councillor F Ricci declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24' as a Trustee of Braintree District Museum Trust Ltd and Warner Textile Archive, and as Vice-Chairman of Great Notley Parish Council.

Councillor Mrs Scattergood declared a Substantive Interest in Agenda Item 7 – 'Motion by Councillor J Abbott – North Essex Garden Communities Funding as the Item related to funding for the proposed Garden Communities.

Councillor Mrs Scattergood left the meeting during the consideration of this Item.

Councillor Mrs W Schmitt declared a Non-Pecuniary Interest also in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as an Elected Member of Essex County Council and a Member of Braintree Local Highways Panel.

Councillor Mrs G Spray declared a Non-Pecuniary Interest in Agenda Item 7 – 'Motion by Councillor J Abbott – North Essex Garden Communities Funding' as a non-remunerated Director (without voting rights) of North Essex Garden Communities Ltd.

Councillor Mrs Spray stated, that as North Essex Garden Communities Ltd's need for funds in the future may be at conflict with the proposed Motion and should the Inspector's letter not be received for some time, the nature of her Non-Pecuniary Interest had changed, such that she could no longer be seen to be making decisions in the Council's interest. Accordingly, Councillor Mrs Spray left the meeting during the consideration of this Item.

Councillor N Unsworth declared a Non-Pecuniary Interest in Agenda Item 8 – 'Motion by Councillor J Abbott - Proposed Rivenhall Airfield Major Waste Facility as a non-remunerated Director of PAIN (Parishes Against Incineration), which was a not for profit organisation.

Councillor Unsworth left the meeting during the consideration of this Item as his position regarding the waste facility was known.

Councillor R van Dulken declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as a Member of Braintree Local Highways Panel.

Councillor Mrs S Wilson declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24 – Amendment 3 (£250,000 one-off funding for Braintree Local Highways Panel)' as a Member of Braintree Local Highways Panel.

Councillor B Wright declared a Non-Pecuniary Interest in Agenda Item 9 – 'Council Budget and Council Tax 2020-21 and Medium Term Financial Strategy 2020-21 to 2023-24' as Vice-Chairman of Rivenhall Parish Council which was joint funding a capital project in Rivenhall with Braintree District Council.

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

## 62 **QUESTION TIME**

**INFORMATION:** There were two statements made.

Mr Elliott Shutt made a general statement regarding various issues including LED street lighting and 5G Broadband. Mr Shutt expressed concerns regarding the potential roll out of 5G wireless technology and the possible impact that this may have on residents.

Mr Ross Playle made a statement in respect of the proposed Rivenhall Airfield major waste facility (incinerator) (Agenda Item 8 - Motion by Councillor James Abbott).

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

## 63 **TO RECEIVE ANY ANNOUNCEMENTS/STATEMENTS FROM THE CHAIRMAN AND/OR LEADER OF THE COUNCIL**

The Chairman's announcements covered the following:

## **Mr Ian Hunt – Head of Governance**

The Chairman reported that Mr Ian Hunt – Head of Governance would be leaving the Council after 6½ years to join Thurrock Council as Assistant Director of Legal and Monitoring Officer.

The Chairman thanked Ian for his legal advice on a range of issues including strategic investment projects, garden communities and planning; for providing support to Council Chairmen, Councillors and Parish Councils; for helping to deliver a number of Elections; and for being an active member of the Corporate Management Team. The Chairman wished Ian well for the future.

Councillors Abbott, Butland, Mann and Mrs Pell added their appreciation for Ian's advice and they also wished him well.

The Leader did not have any announcements to make.

### **64 MOTION BY COUNCILLOR F RICCI - COMMUNITY INITIATIVES AND THE VOLUNTARY SECTOR**

**INFORMATION:** Consideration was given to a Motion submitted by Councillor F Ricci:-

#### **The Motion:**

'This Council re-affirms its commitment to all our communities in the Braintree District and acknowledges the tremendous contribution community initiatives and the voluntary sector make to the lives of local residents. This Council will continue to endeavour to work in partnership with other agencies or on its own, to champion and support such initiatives.'

There followed a general debate on the Motion submitted by Councillor Ricci. On being put to the vote the Motion was declared **CARRIED**.

### **65 MOTION BY COUNCILLOR J ABBOTT – NORTH ESSEX GARDEN COMMUNITIES FUNDING**

Councillor G Butland, Councillor Mrs W Scattergood and Councillor Mrs G Spray left the meeting during the consideration of this Item.

**INFORMATION:** Consideration was given to a Motion submitted by Councillor J Abbott:-

#### **The Motion:**

'This Council agrees that no further taxpayer's money, other than the £350,000 already committed in the 2019/2020 budget, shall be made available to NEGC by Braintree District Council, unless and until the Local Plan Inspector has written to the Council with an Interim Letter stating that the joint NEAs Local Plan Section 1 is Sound (accepting that there may be a need for Modifications).'

There followed a general debate on the Motion submitted by Councillor Abbott. On being put to the vote the Motion was declared **LOST**.

66 **MOTION BY COUNCILLOR J ABBOTT - PROPOSED RIVENHALL AIRFIELD MAJOR WASTE FACILITY**

Councillor N Unsworth left the meeting during the consideration of this Item.

**INFORMATION:** Consideration was given to a Motion submitted by Councillor J Abbott:-

**The Motion:**

‘This Council acknowledges and re-affirms its previous opposition to the proposed Rivenhall Airfield major waste facility. The Council is committed to doing all it can to ensure that concerns of local residents continue to be raised.

The Council acknowledges that the challenges of Waste Management are becoming ever greater and acknowledges the changing methods of treatment and management, the functionality of which is greatly enhanced by ever evolving technology. To this end the Rivenhall Airfield proposal is unacceptable as it would lower local air quality and would increase greenhouse gas emissions by relying substantially on waste incineration and the importation of waste by road from outside of Essex. Furthermore, the level of recycling proposed at the facility has been substantially reduced compared with earlier versions of this proposal.’

There followed a general debate on the Motion submitted by Councillor Abbott. On being put to the vote the Motion was declared **CARRIED**.

67 **COUNCIL BUDGET AND COUNCIL TAX 2020/21 AND MEDIUM-TERM FINANCIAL STRATEGY 2020/21 TO 2023/24**

**INFORMATION:** The Chairman informed Members that this Item was divided into two parts, which would be dealt with together and followed by a single recorded vote. The first matter was the Recommendations from Cabinet on the Council Budget and Council Tax 2020/21 and Medium-Term Financial Strategy 2020/21 to 2023/24, and the second matter was the Council Tax Resolution for 2020/21.

Reports relating to this Item had been circulated separately to the Agenda in advance of the meeting together with three Amendments, including technical advice from the Head of Finance, relating to the Council Budget, which were set out in the Amendment Pack, circulated to all Councillors earlier in the day.

The Chairman reported also that a Procedural Motion had been submitted for this Item. Councillor Butland moved the following Procedural Motion, which was seconded by Councillor T Cunningham.

**Procedural Motion**

‘Moved in accordance with the Council’s Procedural Motion 7.1 that for the purpose of expediting the business of Item 9 Council Budget and Council Tax 2020/21 and Medium Term Financial Strategy 2020/21 to 2023/24 that Procedural Rules 23.6

and 23.9 are suspended to enable all amendments which have been submitted in time and have had proper notification, to be moved and debated together with the substantive budget, following full debate the amendments will be put to individual recorded votes, before a final recorded vote is undertaken for the substantive proposals.'

On being put to the vote the Procedural Motion was declared **CARRIED**.

**(1) Recommendations from Cabinet meeting held on 10th February 2020 - Council Budget and Council Tax 2020/21 and Medium-Term Financial Strategy 2020/21 to 2023/24**

**(2) Council Tax Resolution for 2020/21**

**INFORMATION:** Councillor Butland, Leader of the Council introduced the reports to Members for their consideration. Councillor Butland moved the recommendations in the report, which were seconded by Councillor Bebb.

The Chairman invited Councillor Abbott to move the three amendments relating to the Council Budget as follows:-

Amendment 1

Councillor Abbott moved the amendment, which was seconded by Councillor Thorogood.

'An additional £10,000 to be added to the waste and recycling budget to fund extending green waste kerbside collections until the last collection before Christmas (an extra two collections) each year.

This funding to be taken from addition to balances.'

Amendment 2

Councillor Abbott moved the amendment which was seconded by Councillor Miss Weeks.

'An additional £10,000 to be added to the waste and recycling budget to establish bring bank facilities, at existing or new bring bank sites, for Tetra packs (drinks cartons) across the District.

This funding to be taken from addition to balances.'

Amendment 3

Councillor Abbott moved the amendment which was seconded by Councillor Mrs Beavis.

'A provision of £250,000 one-off funding in 2020/21 to be transferred to the Braintree Local Highways Panel.

This funding to be taken from the New Homes Bonus fund.'

There followed a general debate on the amendments and the budget.

Once the debate had concluded a recorded vote was taken on each of the amendments and on the substantive budget motion, the results of which were as follows:

### **Amendment 1**

#### **For the Amendment**

Councillors: Abbott, Mrs Beavis, Everard, Hicks, Hume, Mann, Munday, Mrs Pell, Radley, Thorogood, Unsworth, Miss Weeks and Wright (13).

#### **Against the Amendment**

Councillors: Baugh, Bebb, Bowers, Butland, Coleridge, Courtauld, Mrs M Cunningham, T Cunningham, Euesden, Mrs Garrod, Hensman, Horner, Johnson, McKee, Mrs Parker, Ramage, Rehman, Ricci, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, van Dulken, Wallace, Mrs Walters, Mrs Wilson and Wrench (30).

#### **Abstained**

Councillor: Mrs Kilmartin (1).

#### **Absent**

Councillors: Mrs Dervish, McArdle, Pritchard, Mrs Sandum and Walsh (5).

### **The Amendment was declared LOST**

\*\*\*\*\*

### **Amendment 2**

#### **For the Amendment**

Councillors: Abbott, Mrs Beavis, Hicks, Thorogood, Unsworth, Miss Weeks and Wright (7).

#### **Against the Amendment**

Councillors: Baugh, Bebb, Bowers, Butland, Coleridge, Courtauld, Mrs M Cunningham, T Cunningham, Euesden, Everard, Mrs Garrod, Hensman, Horner, Hume, Johnson, Mann, McKee, Munday, Mrs Parker, Mrs Pell, Radley, Ramage, Rehman, Ricci, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, van Dulken, Wallace, Mrs Walters, Mrs Wilson and Wrench (36).

#### **Abstained**

Councillor: Mrs Kilmartin (1).

#### **Absent**

Councillors: Mrs Dervish, McArdle, Pritchard, Mrs Sandum and Walsh (5).

### **The Amendment was declared LOST**

\*\*\*\*\*

### **Amendment 3**



**For the Amendment**

Councillors: Abbott, Mrs Beavis, Hicks, Thorogood, Unsworth, Miss Weeks and Wright (7).

**Against the Amendment**

Councillors: Baugh, Bebb, Bowers, Butland, Coleridge, Courtauld, Mrs M Cunningham, T Cunningham, Euesden, Everard, Mrs Garrod, Hensman, Horner, Hume, Johnson, Mann, McKee, Munday, Mrs Parker, Mrs Pell, Radley, Ramage, Rehman, Ricci, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, van Dulken, Wallace, Mrs Walters, Mrs Wilson and Wrench (36).

**Abstained**

Councillor: Mrs Kilmartin (1).

**Absent**

Councillors: Mrs Dervish, McArdle, Pritchard, Mrs Sandum and Walsh (5).

**The Amendment was declared LOST**

\*\*\*\*\*

**Substantive Budget Motion**

**For the Motion**

Councillors: Abbott, Baugh, Mrs Beavis, Bebb, Bowers, Butland, Coleridge, Courtauld, Mrs M Cunningham, T Cunningham, Euesden, Mrs Garrod, Hensman, Horner, Hume, Johnson, McKee, Munday, Mrs Parker, Mrs Pell, Radley, Ramage, Rehman, Ricci, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, Unsworth, van Dulken, Wallace, Mrs Walters, Mrs Wilson, Wrench and Wright (38).

**Against the Motion**

Councillor: Thorogood (1).

**Abstained**

Councillors: Everard, Hicks, Mrs Kilmartin, Mann and Miss Weeks (5).

**Absent**

Councillors: Mrs Dervish, McArdle, Pritchard, Mrs Sandum and Walsh (5).

**The Motion was declared CARRIED**

**DECISION:**

**(1) Recommendations from Cabinet meeting held on 10th February 2020 - Council Budget and Council Tax 2020/21 and Medium-Term Financial Strategy 2020/21 to 2023/24**

That the following be approved:

1. The budget variations to the current base budget as detailed in Section 4 of the main report;
2. The additional income and cost reductions as detailed in Section 6 of the main report;
3. The allocations of Flexible Homelessness Support and Homelessness Reduction grants, totalling £319,953, for 2020/21 be earmarked for housing purposes;
4. The unavoidable revenue budget demands and new investments added to the Base Budget of £514,000 as detailed in Section 5.2 of the main report;
5. The unavoidable revenue budget demands and new investments required to meet one-off or time-limited expenditure of £870,180 as detailed in Section 5.3 of the main report and to be funded as detailed in Section 5.4 of the main report;
6. The Pension Fund Deficit payments for the period 2020/21 to 2022/23 due to the Essex Pension Fund be made in a single payment on 1st April 2020, as detailed in Section 4.5.7 to the main report;
7. The Braintree District Council's Local Council Tax Support scheme for 2020/21 as detailed on the Council's website: [Proposed Local Council Tax Support Scheme 2020/21](#);
8. The package of support to claimants experiencing difficulties as a result of the Local Council Tax Support scheme as detailed in Section 11.9 of the main report;
9. The Council's discretionary fees and charges for 2020/21 as detailed in the schedule on the Council's website: [Proposed Fees & Charges 2020/21](#);
10. Delegated authority is given to the appropriate Cabinet Member to determine the level of charges for Trade Waste collection, Environmental permits and core leisure charges for 2020/21;
11. The Council's housing rents are increased by CPI plus 1% for 2020/21, as detailed in the schedule on the Council's website: [Proposed Fees & Charges 2020/21](#);
12. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes;
13. The surplus of £188,955 on the Business Rates Collection Fund be transferred to the Business Rates Retention Reserve;
14. To continue the Council's Discretionary Business Rate Relief schemes, as detailed in Section 9 to the main report, for 2020/21;
15. The Council's existing Retail Relief scheme be amended for 2020/21 and the two rate reliefs to Local Newspapers and Pubs, for 2020/21 to 2024/25 and 2020/21 respectively, as detailed in Section 3 of the Amendment Report to Cabinet;
16. Discretionary Council Tax discounts and exemptions for 2020/21 are:

- a. Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
  - b. Discount applicable to vacant dwellings is set at 0% for the six month period;
  - c. Discount applicable to second homes is set at 0%;
17. Discretionary Council Tax Empty Homes Premiums charged on dwellings vacant for over two years but less than five years continue at 100% and on dwellings vacant for over five years be increased to 200% with effect from 1st April 2020 and that this is duly published in a local newspaper within 21 days of this decision. In addition the refund arrangement, as detailed in Section 13.8 of the main report;
18. The Council's Pay Policy for 2020/21 as detailed in Appendix B to the main report;
19. A transfer of £222,269 to the General Fund unallocated balance in 2020/21;
20. The estimated movements on the earmarked reserves as detailed in Appendix E to the main report;

### Capital

21. The General Fund Capital bids for 2020/21 listed in Appendix H to the main report;

### Capital, Investment and Treasury Management Strategies

22. The Capital Strategy including the authorised borrowing limit, operational borrowing boundary, the policy on Minimum Revenue Provision and prudential indicators as detailed in Appendix I to the main report;
23. The Treasury Management Strategy Statement including the schedule of investment counterparties and limits and prudential indicators as detailed in Appendix J to the main report and including the two amendments detailed in Sections 5 and 7 of the Amendment Report to Cabinet;
24. Investment Strategy for 2020/21 as detailed in Appendix K to the main report;

### Council Tax

25. The proposed estimates (producing a budget requirement for Council Tax purposes of £15,225,694) as detailed in Appendix C and the Council Tax for 2020/21 of £184.68 for a Band D property, having taking into consideration:
- The consultation feedback, if any, received and reported verbally at the meeting;
  - The assessment of risks in the budget assumptions;
  - The Equalities Impact Assessments and
  - The Section 151 Officer's report on the robustness of the estimates and the adequacy of balances (Appendix G to the main report).

**REASON FOR DECISION:** To determine the Budget and Council Tax level proposals for 2020/21, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution

## **(2) Council Tax Resolution for 2020/21**

That the Council Tax Requirement and level of Council Tax for 2020/21 be approved in accordance with the following resolution:-

### **1. Council Tax Base**

1.1 Under delegated powers the Corporate Director has determined the amount of Council Tax Base for the whole Council area for 2020/21 as 53,373 Band D equivalents; and also that the amount set out in Column 2 of Schedule A should be the Council Tax Base for dwellings in those parts of the District listed in Column 1 of Schedule A to this resolution.

### **2. Calculation of the Council Tax Requirement**

2.1 The following amounts are calculated by the Council for the year 2020/21, in accordance with the Local Government Finance Act 1992 (as amended):-

£82,115,914, being the expenditure the Council estimates it will incur in the year in performing its functions and which will be charged to its General Fund revenue account in accordance with proper practice. This amount includes allowances for contingencies, additions to earmarked financial reserves and general balances, and local precepts issued to the Council.

£69,843,302, being the income estimated by the Council which will be credited to the General Fund revenue account in accordance with proper practice. This amount includes specific and general Government grants, the estimated use of earmarked financial reserves, and the Council's share of the estimated Collection Fund balance at 31 March 2020 in respect of Council Tax and business rates.

£12,272,612, being the Council Tax Requirement for the year calculated as the difference between expenditure and income as set out above.

2.2 In making the above calculations the following amounts have been taken into account:

£5,002,568, being the estimated amount of the local share of business rates to be retained by the Council for the year after allowing for the following items: a tariff of £13,239,773; an estimated levy of £1,202,522 due to the Essex Business Rate Pool; and a net amount of £2,288,548 estimated to be receivable from central Government to fund previous year caps on the RPI increase in the business rate multiplier and the extension of various discretionary reliefs being funded by Government.

£155,120, being the amount that has been calculated as the Council's share of the estimated Collection Fund balance at 31 March 2020 in respect of Council Tax, which will be transferred from the Collection Fund to the General Fund revenue account in 2020/21.

£188,955, being the Council's share of the estimated Collection Fund balance at 31 March 2020 in respect of business rates to be transferred from the Collection Fund to the General Fund revenue account in 2020/21.

£22,125, being the amount of rural services grant funding to be provided by Government as announced in the Final Local Government Finance Settlement for 2020/21.

£2,415,686, being the total of all local precepts received from town and parish councils and shown in Column 3 of Schedule A.

### 3. Calculation of the Basic Amount of Council Tax

3.1 The following amounts have been calculated:

£229.94, being the basic amount of Council Tax for the year including local precepts, calculated by dividing the Council Tax Requirement by the Council Tax Base for the whole district.

£184.68, being the basic amount of Council Tax for dwellings in those parts of the District where there are no local precepts for Town or Parish Councils. This represents the District Council's share of the total Council Tax rate and is charged across property bands as follows:

Property Band	Band as proportion of Band D	Council Tax Rate
A	6/9	£123.12
B	7/9	£143.64
C	8/9	£164.16
D	9/9	£184.68
E	11/9	£225.72
F	13/9	£266.76
G	15/9	£307.80
H	18/9	£369.36

The District Council's basic amount of Council Tax equates to a Council Tax Requirement for the Council's own purposes (excluding town and parish precepts) of £9,856,926.

Under the principles set by the Secretary of State for Communities and Local Government for the 2020/21 financial year, the basic amount of Council Tax calculated by the Council is not deemed excessive and therefore does not require a referendum to be held.

The amounts shown in Column 5 of Schedule A, calculated by adding to the basic amount of Council Tax in those parts of the District where there are no local precepts, the local precept amount relating to each Parish or Town Council area, divided by the tax base for that area. This represents the basic amount of Council Tax for each Parish or Town Council area. The charge for each property band is also shown in Schedule A.

### 4. Special Expenses

4.1 The Council resolves that any expenses incurred by it in performing, in part of its area, a function that is performed elsewhere in its area by a Parish or Town Council, or a Chairman of a Parish Meeting, shall not be treated as Special Expenses for the purposes of Section 35 of the Local Government Finance Act 1992.

## 5. Council Tax Setting

5.1 The Council note that it has been advised of the following precepts:

- Essex County Council £70,511,604
- Police, Fire & Crime Commissioner – Essex Police £10,601,479
- Police, Fire & Crime Commissioner – Essex Fire Service £3,943,731

Expressed as a Council Tax rate for dwellings in the following property bands:

Property Band	Essex County Council	Essex Police	Essex Fire Service
A	£880.74	£132.42	£49.26
B	£1,027.53	£154.49	£57.47
C	£1,174.32	£176.56	£65.68
D	£1,321.11	£198.63	£73.89
E	£1,614.69	£242.77	£90.31
F	£1,908.27	£286.91	£106.73
G	£2,201.85	£331.05	£123.15
H	£2,642.22	£397.26	£147.78

5.2 The Council, having calculated the aggregate of the amounts stated above for each area within the District, hereby sets the amounts shown in Schedule B as the total amount of Council Tax for each of the property Bands.

**REASON FOR DECISION:** To formally set the Council Tax Requirement and Council Tax rates for 2020/21

## 68 **CRESSING NEIGHBOURHOOD PLAN - ADOPTION**

**INFORMATION:** It was reported that Cressing Parish Council had been working to produce a Neighbourhood Plan. Once approved, the Neighbourhood Plan could be used in the determination of planning applications within the Cressing Neighbourhood Area.

Following consultation on the Neighbourhood Plan, an independent examiner had been appointed to review the Plan. The examiner had determined that the Plan met the 'basic conditions' required by legislation and he had agreed that, subject to modifications, the Plan could proceed to a referendum. The Plan, as amended, had been subject to a referendum which had been held on 6th February 2020. As 94.5% of the people who had voted were in favour of the Plan, the District Council was required to 'make' the Plan.

In accordance with the relevant Regulations, it was proposed that Cressing Neighbourhood Plan should be 'made' and that it should form part of Braintree District Council's Development Plan. A Decision Statement had been prepared which was attached at Appendix 1 to the Agenda report. The Statement, together with the Neighbourhood Plan, would be published and made available for public inspection.

In presenting this Item, Councillor Mrs G Spray, Cabinet Member for Planning thanked Cressing Neighbourhood Plan Group for their work in preparing the Plan.

**DECISION:** That the Decision Statement attached at Appendix 1 to the report be approved and Crossing Neighbourhood Plan 'made' in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004.

**REASON FOR DECISION:** To enable Crossing Neighbourhood Plan to be used in the determination of planning applications within the Crossing Neighbourhood Area.

69 **APPOINTMENT OF MONITORING OFFICER**

**INFORMATION:** Consideration was given to a report on the appointment of a Monitoring Officer following the resignation of the current Head of Governance and Monitoring Officer. The appointment of a Monitoring Officer was a statutory requirement under the Local Government and Housing Act 1989.

A recruitment process had been undertaken to appoint a Head of Governance on both an interim and permanent basis. It was reported that Ms Clare Pattinson had been appointed as Interim Head of Governance, and that Ms Kim Cole had been appointed as permanent Head of Governance with effect from late April 2020.

**DECISION:**

- (1) That Ms Clare Pattinson be appointed as Interim Monitoring Officer.
- (2) That Ms Kim Cole be appointed as Monitoring Officer on taking up her appointment as the Council's Head of Governance in late April 2020.

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

70 **REPORTS FROM THE 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.

Councillor G Butland, Leader of the Council, stated that he had nothing to report at the current time.

Councillor D Bebb, Cabinet Member for Finance and Performance, stated that Mr Dominic Collins had been appointed as Corporate Director with effect from 2nd March 2020. Councillor Bebb commended the work of the Elections Team who had delivered a number of Elections and Neighbourhood Plan referenda during 2019. Mr Simon Agra of the Housing Options Team was congratulated on being employee of the month for December 2019.

Councillor K Bowers, Cabinet Member for Homes, added to his report by referring to the Housing Stat Nav document which had been updated recently and provided details about social housing stock.

Councillor T Cunningham, Deputy Leader and Cabinet Member for Economic Development and Infrastructure, had nothing further to add to his report.

Councillor J McKee, Cabinet Member for Corporate Transformation, had nothing further to add to his report.

Councillor F Ricci, Cabinet Member for Communities, Culture and Tourism, added to his report by stating that a sail on Bocking windmill had been damaged in a recent storm. The damage was being assessed and repairs would be carried out.

Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, amended her report by stating that the reference to the proposed precept increase of 2.94% for the Police, Fire and Crime Commissioner related to Essex Police and that an increase of 1.9% was also proposed for Essex Fire Authority. Councillor Mrs W Schmitt reported that Daniel Walker, Keep Britain Tidy's 'Young Litter Hero' had been invited to attend the next Council meeting.

Councillor Mrs G Spray, Cabinet Member for Planning, added to her report by congratulating the Planning Development Manager and his Team on their improved performance over the last three quarters in processing and determining planning applications. Councillor Mrs Spray stated also that the Government had released the Planning Delivery Test Results recently, which had confirmed that the Council would need to apply a 20% buffer to its housing land supply. Consequently, the five year housing land supply position had decreased from 5.15 years to 4.51 years. As such, the Council no longer had a five year housing land supply. Councillor Mrs Spray congratulated Ms Emma Goodings, Head of Planning and Economic Development, on her professionalism and expertise which she had demonstrated at the Examination sessions for Section 1 of the Publication Draft Local Plan.

Councillor P Tattersley, Cabinet Member for Health and Wellbeing, added to his report by stating that a road cycling event involving 1500 cyclists would be passing through the District on 20th September 2020. A map showing the route of the event was available on request.

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](http://www.braintree.gov.uk).

The main topics raised were as follows:-

- Progress with development at New Street, Halstead.
- Church Lane Surgery, Braintree - access and car parking issues.
- Action to tackle parking on pavements.
- Replacement floodlighting at Great Notley.
- The five year housing land supply and house building targets.
- Wood House Farm, Bradwell - planning issue.



- Stock Street Farm, Coggeshall - planning issue.
- Neighbourhood Plans.
- Fusion Lifestyle Leisure Centres – introduction of ‘cashless’ payments.

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

Councillor K Bowers, Cabinet Member for Homes, agreed to provide a written response on progress with development at New Street, Halstead.

Councillor J McKee, Cabinet Member for Corporate Transformation, agreed to provide a written response on access and car parking issues at Church Lane Surgery, Braintree.

Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, agreed to provide a written response on whether proposed replacement floodlighting at Great Notley would comply with best practice energy efficiency measures.

Councillor Mrs G Spray, Cabinet Member for Planning, agreed to provide a written response on the latest position relating to planning issues at Wood House Farm, Bradwell and Stock Street Farm, Coggeshall.

71 **LIST OF PUBLIC MEETINGS HELD SINCE THE COUNCIL MEETING OF 16TH DECEMBER 2019**

**INFORMATION:** There were no matters raised.

There were no matters raised in Private Session.

During the course of the discussions, Members moved, seconded and agreed, as required by the Constitution, that the meeting be extended for 30 minutes beyond 10.15pm to enable the remaining Items on the Agenda to be transacted.

The meeting commenced at 7.15pm and closed at 10.38pm.

Councillor Mrs A Kilmartin  
(Chairman)

**SCHEDULE A**

Col . 1	Col . 2	Col . 3	Col . 4	Col . 5	COUNCIL TAX FOR THE DISTRICT COUNCIL INCLUDING PARISH TAX £							
PARISH/AREA	TAX BASE (BAND D EQUIV)	PARISH PRECEPT £	PARISH TAX (BAND D) £	BASIC AMOUNT OF COUNCIL TAX £	A	B	C	D	E	F	G	H
ALPHAMSTONE & LAMARSH	208.13	4,298	20.65	205.33	136.89	159.70	182.52	205.33	250.96	296.59	342.22	410.66
ASHEN	153.05	4,879	31.88	216.56	144.37	168.44	192.50	216.56	264.68	312.81	360.93	433.12
BELCHAMP OTTEN	79.17	1,000	12.63	197.31	131.54	153.46	175.39	197.31	241.16	285.00	328.85	394.62
BELCHAMP ST PAUL	165.98	3,000	18.07	202.75	135.17	157.69	180.22	202.75	247.81	292.86	337.92	405.50
BELCHAMP WALTER	100.09	5,580	55.75	240.43	160.29	187.00	213.72	240.43	293.86	347.29	400.72	480.86
BIRDBROOK	151.88	13,685	90.10	274.78	183.19	213.72	244.25	274.78	335.84	396.90	457.97	549.56
BLACK NOTLEY	966.48	48,000	49.66	234.34	156.23	182.26	208.30	234.34	286.42	338.49	390.57	468.68
BORLEY	53.96	1,307	24.22	208.90	139.27	162.48	185.69	208.90	255.32	301.74	348.17	417.80
BRADWELL	221.84	12,419	55.98	240.66	160.44	187.18	213.92	240.66	294.14	347.62	401.10	481.32
BRAINTREE	14509.81	-	0.00	184.68	123.12	143.64	164.16	184.68	225.72	266.76	307.80	369.36
BULMER	272.55	10,244	37.59	222.27	148.18	172.88	197.57	222.27	271.66	321.06	370.45	444.54
BURES HAMLET	324.53	29,817	91.88	276.56	184.37	215.10	245.83	276.56	338.02	399.48	460.93	553.12
CASTLE HEDINGHAM	489.92	29,130	59.46	244.14	162.76	189.89	217.01	244.14	298.39	352.65	406.90	488.28
COGGESHALL	1802.16	168,399	93.44	278.12	185.41	216.32	247.22	278.12	339.92	401.73	463.53	556.24
COLNE ENGAINÉ	407.15	24,798	60.91	245.59	163.73	191.01	218.30	245.59	300.17	354.74	409.32	491.18
CRESSING	688.03	43,000	62.50	247.18	164.79	192.25	219.72	247.18	302.11	357.04	411.97	494.36
EARLS COLNE	1296.84	107,981	83.26	267.94	178.63	208.40	238.17	267.94	327.48	387.02	446.57	535.88
FEERING	819.48	63,667	77.69	262.37	174.91	204.07	233.22	262.37	320.67	378.98	437.28	524.74
FINCHINGFIELD	681.51	43,580	63.95	248.63	165.75	193.38	221.00	248.63	303.88	359.13	414.38	497.26
FOXEARH & LISTON	153.57	6,905	44.96	229.64	153.09	178.61	204.12	229.64	280.67	331.70	382.73	459.28
GESTINGTHORPE	179.53	8,613	47.98	232.66	155.11	180.96	206.81	232.66	284.36	336.06	387.77	465.32
GOSFIELD	576.60	35,494	61.56	246.24	164.16	191.52	218.88	246.24	300.96	355.68	410.40	492.48
GREAT BARDFIELD	548.74	40,280	73.40	258.08	172.05	200.73	229.40	258.08	315.43	372.78	430.13	516.16
GREAT MAPLESTEAD	170.39	8,068	47.35	232.03	154.69	180.47	206.25	232.03	283.59	335.15	386.72	464.06
GREAT NOTLEY	2607.03	88,642	34.00	218.68	145.79	170.08	194.38	218.68	267.28	315.87	364.47	437.36
GREAT YELDHAM	587.66	45,731	77.82	262.50	175.00	204.17	233.33	262.50	320.83	379.17	437.50	525.00
GREENSTEAD GREEN	274.98	10,007	36.39	221.07	147.38	171.94	196.51	221.07	270.20	319.32	368.45	442.14
HALSTEAD	4065.58	191,183	47.02	231.70	154.47	180.21	205.96	231.70	283.19	334.68	386.17	463.40
HATFIELD PEVEREL	1777.55	72,759	40.93	225.61	150.41	175.47	200.54	225.61	275.75	325.88	376.02	451.22
HELIONS BUMPSTEAD	182.06	15,387	84.52	269.20	179.47	209.38	239.29	269.20	329.02	388.84	448.67	538.40
HENNY'S, MIDDLETON & TWINSTEAD	235.12	9,756	41.49	226.17	150.78	175.91	201.04	226.17	276.43	326.69	376.95	452.34
KELVEDON	1356.95	117,298	86.44	271.12	180.75	210.87	241.00	271.12	331.37	391.62	451.87	542.24
LITTLE MAPLESTEAD	115.11	4,342	37.72	222.40	148.27	172.98	197.69	222.40	271.82	321.24	370.67	444.80



**SCHEDULE B**

PARISH/AREA	TOTAL COUNCIL TAX £							
	A	B	C	D	E	F	G	H
ALPHAMSTONE & LAMARSH	1199.31	1399.19	1599.08	1798.96	2198.73	2598.50	2998.27	3597.92
ASHEN	1206.79	1407.93	1609.06	1810.19	2212.45	2614.72	3016.98	3620.38
BELCHAMP OTTEN	1193.96	1392.95	1591.95	1790.94	2188.93	2586.91	2984.90	3581.88
BELCHAMP ST PAUL	1197.59	1397.18	1596.78	1796.38	2195.58	2594.77	2993.97	3592.76
BELCHAMP WALTER	1222.71	1426.49	1630.28	1834.06	2241.63	2649.20	3056.77	3668.12
BIRDBROOK	1245.61	1453.21	1660.81	1868.41	2283.61	2698.81	3114.02	3736.82
BLACK NOTLEY	1218.65	1421.75	1624.86	1827.97	2234.19	2640.40	3046.62	3655.94
BORLEY	1201.69	1401.97	1602.25	1802.53	2203.09	2603.65	3004.22	3605.06
BRADWELL	1222.86	1426.67	1630.48	1834.29	2241.91	2649.53	3057.15	3668.58
BRAINTREE	1185.54	1383.13	1580.72	1778.31	2173.49	2568.67	2963.85	3556.62
BULMER	1210.60	1412.37	1614.13	1815.90	2219.43	2622.97	3026.50	3631.80
BURES HAMLET	1246.79	1454.59	1662.39	1870.19	2285.79	2701.39	3116.98	3740.38
CASTLE HEDINGHAM	1225.18	1429.38	1633.57	1837.77	2246.16	2654.56	3062.95	3675.54
COGGESHALL	1247.83	1455.81	1663.78	1871.75	2287.69	2703.64	3119.58	3743.50
COLNE ENGAINE	1226.15	1430.50	1634.86	1839.22	2247.94	2656.65	3065.37	3678.44
CRESSING	1227.21	1431.74	1636.28	1840.81	2249.88	2658.95	3068.02	3681.62
EARLS COLNE	1241.05	1447.89	1654.73	1861.57	2275.25	2688.93	3102.62	3723.14
FEERING	1237.33	1443.56	1649.78	1856.00	2268.44	2680.89	3093.33	3712.00
FINCHINGFIELD	1228.17	1432.87	1637.56	1842.26	2251.65	2661.04	3070.43	3684.52
FOXEARH & LISTON	1215.51	1418.10	1620.68	1823.27	2228.44	2633.61	3038.78	3646.54
GESTINGTHORPE	1217.53	1420.45	1623.37	1826.29	2232.13	2637.97	3043.82	3652.58
GOSFIELD	1226.58	1431.01	1635.44	1839.87	2248.73	2657.59	3066.45	3679.74
GREAT BARDFIELD	1234.47	1440.22	1645.96	1851.71	2263.20	2674.69	3086.18	3703.42
GREAT MAPLESTEAD	1217.11	1419.96	1622.81	1825.66	2231.36	2637.06	3042.77	3651.32
GREAT NOTLEY	1208.21	1409.57	1610.94	1812.31	2215.05	2617.78	3020.52	3624.62
GREAT YELDHAM	1237.42	1443.66	1649.89	1856.13	2268.60	2681.08	3093.55	3712.26
GREENSTEAD GREEN	1209.80	1411.43	1613.07	1814.70	2217.97	2621.23	3024.50	3629.40
HALSTEAD	1216.89	1419.70	1622.52	1825.33	2230.96	2636.59	3042.22	3650.66
HATFIELD PEVEREL	1212.83	1414.96	1617.10	1819.24	2223.52	2627.79	3032.07	3638.48

**SCHEDULE B**

PARISH/AREA	TOTAL COUNCIL TAX £							
	A	B	C	D	E	F	G	H
HELIONS BUMPSTEAD	1241.89	1448.87	1655.85	1862.83	2276.79	2690.75	3104.72	3725.66
HENNYS,MIDDLETON & TWINSTEAD	1213.20	1415.40	1617.60	1819.80	2224.20	2628.60	3033.00	3639.60
KELVEDON	1243.17	1450.36	1657.56	1864.75	2279.14	2693.53	3107.92	3729.50
LITTLE MAPLESTEAD	1210.69	1412.47	1614.25	1816.03	2219.59	2623.15	3026.72	3632.06
LITTLE YELDHAM, TILBURY JUXTA CLARE, & OVINGTON	1210.87	1412.69	1614.50	1816.31	2219.93	2623.56	3027.18	3632.62
PANFIELD	1217.87	1420.84	1623.82	1826.80	2232.76	2638.71	3044.67	3653.60
PEBMARSH	1219.73	1423.02	1626.31	1829.60	2236.18	2642.76	3049.33	3659.20
PENTLOW	1216.40	1419.13	1621.87	1824.60	2230.07	2635.53	3041.00	3649.20
RAYNE	1220.71	1424.16	1627.61	1831.06	2237.96	2644.86	3051.77	3662.12
RIDGEWELL	1243.91	1451.22	1658.54	1865.86	2280.50	2695.13	3109.77	3731.72
RIVENHALL	1215.45	1418.02	1620.60	1823.17	2228.32	2633.47	3038.62	3646.34
SHALFORD	1226.95	1431.45	1635.94	1840.43	2249.41	2658.40	3067.38	3680.86
SIBLE HEDINGHAM	1228.50	1433.25	1638.00	1842.75	2252.25	2661.75	3071.25	3685.50
SILVER END	1230.98	1436.14	1641.31	1846.47	2256.80	2667.12	3077.45	3692.94
STAMBOURNE	1215.62	1418.22	1620.83	1823.43	2228.64	2633.84	3039.05	3646.86
STEEPLE BUMPSTEAD	1231.79	1437.08	1642.38	1847.68	2258.28	2668.87	3079.47	3695.36
STISTED	1219.39	1422.63	1625.86	1829.09	2235.55	2642.02	3048.48	3658.18
STURMER	1216.53	1419.28	1622.04	1824.79	2230.30	2635.81	3041.32	3649.58
TERLING & FAIRSTEAD	1221.80	1425.43	1629.07	1832.70	2239.97	2647.23	3054.50	3665.40
THE SALINGS	1232.87	1438.35	1643.83	1849.31	2260.27	2671.23	3082.18	3698.62
TOPPESFIELD	1238.26	1444.64	1651.01	1857.39	2270.14	2682.90	3095.65	3714.78
WETHERSFIELD	1221.53	1425.12	1628.71	1832.30	2239.48	2646.66	3053.83	3664.60
WHITE COLNE	1223.03	1426.87	1630.71	1834.55	2242.23	2649.91	3057.58	3669.10
WHITE NOTLEY & FAULKBOURNE	1223.09	1426.93	1630.78	1834.63	2242.33	2650.02	3057.72	3669.26
WICKHAM ST PAUL	1244.52	1451.94	1659.36	1866.78	2281.62	2696.46	3111.30	3733.56
WITHAM	1234.67	1440.45	1646.23	1852.01	2263.57	2675.13	3086.68	3704.02