

# Minutes

## Council Meeting

8<sup>th</sup> October 2012



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

### Present:

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
Councillor J E Abbott	Yes	Councillor J S Allen	Yes
Councillor M J Banthorpe	Yes	Councillor P R Barlow	Apologies
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 (Chairman)	Yes
Councillor G Butland	Yes	Councillor C A Cadman	Yes
Councillor S Canning	Yes	Councillor T G Cunningham	Apologies
Councillor J G J Elliott	Yes	Councillor Dr R L Evans	Yes
Councillor A V E Everard	Yes	Councillor J H G Finbow	Yes
Councillor M J Fincken	Yes	Councillor T J W Foster	Yes
Councillor M E Galione	Apologies	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 D J Louis	Yes	Councillor C Louis	Yes
Councillor E R Lynch	Yes	Councillor D Mann	Yes
Councillor J T McKee	Apologies	Councillor R G S Mitchell	Apologies
Councillor J M Money	Yes	Councillor Lady P Newton	Yes
Councillor J O'Reilly-Cicconi	Apologies	Councillor Mrs I C F Parker	Yes
Councillor J A Pell	Yes	Councillor R P Ramage	Yes
Councillor D M Reid	Yes	Councillor D E A Rice	Yes
Councillor F Ricci	Yes	Councillor W J Rose	Yes
Councillor V Santomauro	Apologies	Councillor W D Scattergood (Vice 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	Yes
Councillor J R Swift	Apologies	Councillor P Tattersley	Yes
Councillor C M Thompson	Yes	Councillor M Thorogood	Apologies
Councillor L S Walters	Yes	Councillor R G Walters	Yes
Councillor S A Wilson	No	Councillor B Wright	Yes

### 39. **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman presented the Quality Parish Status Award to Birdbrook Parish Council.

The Chairman's announcement covered the following:

- Letter received on behalf of the Queen thanking the Council for the Jubilee Cushions;
- The Chairman's Charity Golf Day held on Wednesday 1<sup>st</sup> August at Colne Valley Golf Club raised £3,189;
- The passing away of Ariel Crittall;
- Awards to Halstead in Bloom including best overall entry and best town in the Anglia in Bloom competition.

#### 40. **DECLARATIONS OF INTEREST**

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

- Councillors Baugh, Butland, Lager, D Louis and R Walters declared a non pecuniary interest in Agenda item 11, Questions by Members, Reports from the Leader and Cabinet Members, as a members of Essex County Council;
- Councillor Lager also declared a non pecuniary interest in Agenda item 11, Questions by Members, Reports from the Leader and Cabinet Members, as a Director of Witham Public Hall Trust and as a member of Witham Town Council;
- Councillors Pell and Sutton declared a non pecuniary interest in Agenda item 8a, Policy Recommendations and References – Cabinet – 24<sup>th</sup> September 2012, Housing Assets: Disposal of Trinity House, Halstead, as Council representatives on the Trinity House Hostel Project;
- Councillor Parker declared a non pecuniary interest in Agenda item 6, Petition: New medical facilities to serve the villages of Sible Hedingham and Castle Hedingham; as a Ward Member for Great Yeldham which is also seeking new medical facilities.

In accordance with the Code of Conduct all Members remained in the meeting for these items and took part in the debate and decision thereon, unless stated otherwise.

#### 41. **MINUTES**

**DECISION:** That subject to amending the attendance record that Cllr Foster had given his apologies and was not present, that the minutes of the Council meeting held on 30<sup>th</sup> July 2012 be approved as a correct record and signed by the Chairman.

#### 42. **QUESTION TIME**

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

#### 43. **APPOINTMENTS PANEL - APPOINTMENT OF HEAD OF PAID SERVICE (CHIEF EXECUTIVE)**

**DECISION:** That the appointment of Nicola Beach to the post of Head of Paid Service (Chief Executive) be approved.

**REASON FOR THE DECISION:** To appoint a Head of Paid Service (Chief Executive).

44. **PETITION: NEW MEDICAL FACILITIES TO SERVE THE VILLAGES OF SIBLE HEDINGHAM AND CASTLE HEDINGHAM.**

**INFORMATION:** Consideration was given to the following Petition:

“We the undersigned, hereby request that Braintree District Council use its best endeavours to convince NHS Mid Essex of the urgent need for new medical facilities to serve the villages of Sible and Castle Hedingham. We further request that this facility be sited on the Premdor/Rockways regeneration area in accordance with the Core Strategy adopted September 2011”.

Members were supportive of the Petition and the provision of new medical facilities to serve the villages of Sible Hedingham and Castle Hedingham.

It was reported that that the next meeting of Cabinet on 29<sup>th</sup> October will receive a recommendation from the Local Development Framework Sub-committee that an area of land within the Premdor/Rockways regeneration area be set aside for new medical facilities.

The Lead Petitioner thanked members for their support for the Petition.

Members agreed that the Petition be referred to Cabinet for further consideration and to take forward.

The Leader of the Council commented that the issue is currently for the NHS and local GPs to consider and that a report should be received by Cabinet in due course. However, he thought that the action agreed by members demonstrated the Council’s commitment to keeping the aims of the Petition on the Council’s agenda.

**DECISION:** That the Petition be referred to Cabinet for further consideration and to take forward.

**REASON FOR THE DECISION:** To consider the Petition in accordance with the Council’s Petition Scheme.

45. **POLICY RECOMMENDATIONS AND REFERENCES – CABINET 24<sup>TH</sup> SEPTEMBER 2012**

**Minute 45, Housing Assets: Disposal of Trinity House, Halstead**

**DECISION:**

1. That Trinity House, Halstead, be declared surplus to requirements and the Head of Asset Management be authorised to dispose of the property on the open market once the existing lease to NACRO has been ended.
2. That net sale proceeds from the sale of Trinity House are added to the Council’s affordable housing programme.

**REASON FOR THE DECISION:** To make best use of the Council’s land and property.

#### 46. **CODE OF CONDUCT**

**INFORMATION:** In response to a question, the Leader confirmed that the Register of Members' Interests on the Council's website would be updated shortly.

**DECISION:**

1. That the changes to the Code of Conduct be noted.
2. That the adoption of the Code of Conduct for elected and co-opted members of Braintree District Council be ratified.

**REASON FOR DECISION:** To ensure that the Council adopts a Code of Conduct in accordance with statutory provisions.

#### 47. **STANDARDS: APPOINTMENT OF INDEPENDENT PERSONS**

**DECISION:** That Mr Anthony French be appointed as the Independent Person and Mr Christopher Webb and Mr Keith Stubbings be appointed as reserve Independent Persons.

**REASON FOR DECISION:** To ensure that the Council has the necessary arrangements in place to comply with the requirements of the Localism Act.

#### 48. **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's verbal report covered the following:

**Changes to Cabinet**

- The Leader had written to all members on changes to Cabinet portfolios. For completeness, details on the changes were tabled at the meeting.

**Recycling Working Group**

- The Working Group will comprise Cllrs Abbott, Allen, Barlow, Canning, Johnson, Lynch, Mitchell, Parker, Rose Sutton, Tattersley, and Wright. The Group will be chaired by Cllr Abbott. Officers will work with Cllr Abbott to take forward the work of the Group.

**Greater Haven Gateway**

- There had been discussion at a recent meeting of the Gateway organisation on whether it should continue in view of the existence of the South East Local Enterprise Partnership. The Essex authorities in the Gateway are very much in favour of its continuation believing it is an important organisation to press the case of North Essex and the Ports area collectively. As a result, the continuation of the organisation will be considered further at a Gateway meeting in December. The Leader also

thought that the Gateway provided a strong advocate on a number of issues within the district.

The Leader also announced that the Minister of State for Schools had given his consent for the disposal of land at Maltings Academy Site, Witham. The Minister believes it is important that the benefits of the scheme be clearly set out and, in particular, how the proceeds of the sale are to be invested in sport and education. The local consultation is ongoing with the results due to be reported to the next meeting of Cabinet. The Leader was grateful to the Ministerial team and to the Cabinet Portfolio Holder for Education at Essex County Council for his quick response and support.

Councillor Lady Newton, Cabinet Member, Planning and Property, reported that the Highways Agency's announcement earlier in the day of expenditure £22 million in the region included £300,000 for improvements to the A120 at Galleys Corner. She thought that although the expenditure would not solve the all traffic problems of the A120, it should still be welcomed.

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

[http://www.braintree.public-i.tv/core/portal/webcast\\_interactive/83930](http://www.braintree.public-i.tv/core/portal/webcast_interactive/83930)

Topics covered included:

- Silver End Village Hall being a community hub;
- The possibility of taking forward the Council's framework on Localism in areas such as Halstead in time, following information gained from the Witham Neighbourhood Pilot;
- Increased revenue from increased recycling at the Council's relationship with Essex County Council;
- Addressing traffic problems at the A131/A120 Marks Farm Roundabout;
- Homelessness numbers in the district;
- Future of the Trinity House Hostel Project;
- The Council's Empty Homes Rescue scheme;
- Possible extension of the Blackwater Rail Trail, Witham;
- The Council's approach to extending the dualling of the A120;
- A fairer deal for rail commuters on rail fares.
- Operatives fulfilling health and safety obligation when emptying food waste recycling containers.
- Holding Portas Pilot events aimed at children during school holiday times.

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

- The Leader agreed to investigate the withdrawal of the Greenfingers Handyman Service provided by the Braintree District Voluntary Support Agency and to provide a response to Cllr Lynch. The Leader stressed that that he could provide no guarantee on funding for the service;
- Cllr Beavis, Cabinet, Member People and Participation, agreed to provide Cllr Dr Evans with a breakdown of the estimated £10.8 billion in total gross public revenue spending across Essex. She reminded members that a presentation to Cabinet at its meeting on 24<sup>th</sup> September on the Whole Essex Community Budget can be viewed through the webcast of the meeting;
- Cllr Bebb, Cabinet Member, Performance and Efficiency agreed to provide Cllr Lager with information on the impact on Council car parking revenues from the 10p after 3pm car park initiative;
- Cllr Lady Newton, Cabinet Member, Planning and Property, agreed to provide Cllr Dr Evans with timescales for the Council's review of homelessness in the district;
- Cllr Schmitt, Cabinet Member, People, agreed to provide Cllr Dr Evans with information on whether people who are injured in licensed premises currently have the right to re-dress as a result of the injury.

(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.

49. **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 8.49pm.

L B Bowers-Flint  
(Chairman)