

# Minutes

## Council Meeting

7<sup>th</sup> November 2011



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A web cast of the meeting is available 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	Apologies
Councillor M J Banthorpe	Yes	Councillor P R Barlow	Yes
Councillor J Baugh	Yes	Councillor J C Beavis	Yes
Councillor D L Bebb	Yes	Councillor E Bishop	Yes
Councillor R J Bolton	No	Councillor G Butland	Yes
Councillor C A Cadman	Yes	Councillor S Canning	No
Councillor T G Cunningham	Yes	Councillor J G J Elliott	Apologies
Councillor Dr R L Evans	Yes	Councillor A V E Everard	Yes
Councillor J H G Finbow	Yes	Councillor M J Fincken	Yes
Councillor L B Flint	Yes	Councillor T J W Foster	Apologies
Councillor M E Galione	Yes	Councillor C Gibson	Yes (from 7.25pm)
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 D Mann	Yes
Councillor J T McKee	Yes	Councillor D G Messer	Yes
Councillor R G S Mitchell	Apologies	Councillor J M Money (Chairman)	Yes
Councillor Lady P Newton	Yes	Councillor J O'Reilly-Cicconi	Yes
Councillor Mrs I C F Parker	Yes	Councillor J A Pell	Yes
Councillor R P Ramage	Yes	Councillor D M Reid	No
Councillor D E A Rice	Yes	Councillor W J Rose	Yes
Councillor C Sandbrook	Yes	Councillor S Sandbrook	Apologies
Councillor V Santomauro	Yes	Councillor W D Scattergood	Apologies
Councillor W Schmitt	Yes	Councillor A F Shelton	Apologies
Councillor L Shepherd	Yes	Councillor C Siddall	Yes
Councillor G A Spray	Yes	Councillor J S Sutton	Yes
Councillor J R Swift	Yes	Councillor P Tattersley	Yes
Councillor C M Thompson	Yes	Councillor M Thorogood	Yes
Councillor L S Walters	Yes	Councillor R G Walters	Yes
Councillor S A Wilson	Yes	Councillor B Wright	Yes

### 36 **CHAIRMAN'S ANNOUNCEMENTS**

Councillor Schmitt presented the Council with 23 Certificates received from Essex Playing Fields Association for best kept playing fields and play areas.

## 37 **DECLARATIONS OF INTEREST**

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

- Councillor Lager declared a personal interest in Agenda Item 10(i)a, Statements from the Leader and Cabinet Members., Leader's Statement, as a member of Witham Town Council and Essex County Council;
- Councillor Rose declared a personal interest in Agenda Item 10(i)a, Statements from the Leader and Cabinet Members., Leader's Statement, as a member of Witham Town Council.

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.

## 38 **MINUTES**

**DECISION:** Subject to Minute 31 reading that "Councillor Pell enquired if land identified in the Core Strategy for a school in Halstead was land currently owned by the Council...", that the minutes of the Council meeting held on 19<sup>th</sup> September 2011 be approved as a correct record and signed by the Chairman.

## 39 **QUESTION TIME**

**INFORMATION:** 1 Question was asked a summary of which is in the Appendix.

## 40 **POLICY RECOMMENDATIONS AND REFERENCES – AUDIT COMMITTEE, 29<sup>TH</sup> SEPTEMBER 2011**

**INFORMATION:** The following Recommendations were considered:

**Minute 26, Treasury Management Mid-Year Report 2011/12**

**DECISION:** That the Mid-Year Treasury Management Report 2011/12 be noted.

## 41 **POLICY RECOMMENDATIONS AND REFERENCES – LOCAL GOVERNMENT CABINET REFORM SUB-GROUP, 13<sup>TH</sup> OCTOBER 2011**

**INFORMATION:** The following Recommendations were considered:

**Minute 3. Polling District and Polling Place Review**

**DECISION:**

1. That no changes be made to the current Polling Districts or Polling Places as a result of the review.
2. That the Council supports the Returning Officer, where practicable, in providing access arrangements in Council buildings to polling places for the physically disabled which are proportionate and appropriate.

3. That the Council defers the renaming of the Kelvedon ward pending a wider boundary review during 2013/2014.

**REASON FOR DECISION:** To meet the statutory requirement to review the polling places and polling districts by 30<sup>th</sup> December 2011.

#### **Minute 4. Review of Parliamentary Constituency Boundaries**

**DECISION:**

1. That the Council makes no comment regarding proposed changes to the Parliamentary Boundaries.
2. That the comments of the Returning Officer contained in the report be noted.

**REASON FOR DECISION:** To determine if the Council should respond to the Boundary Commission for England consultation on proposed changes to the Parliamentary Constituency Boundaries.

### 42 **POLICY RECOMMENDATIONS AND REFERENCES – CABINET 24<sup>TH</sup> OCTOBER 2011**

**INFORMATION:** The following Recommendations were considered:

#### **Minute 50. Loan to Braintree Town Football Club**

**DECISION:** That the Council agrees to lend up to £150,000 to Braintree Town Football Club under the following terms and conditions:

1. Payment to the Club will only be made on presentation of the invoices detailing the work that has been carried out.
2. Interest will be charged at 2.5% above the Bank of England base rate (currently 0.5%) on the full amount owed.
3. A charge will be put on Braintree Town Football Club's land and buildings requiring them to be sold if the Club defaults on the repayments or is placed in administration or liquidation.
4. Repayments to the Council of capital and interest will be made by the Club monthly over a maximum of 10 years.

(Subject to confirmation that there are no other charges currently held against the Club's land and buildings).

**REASON FOR DECISION:** To generate an increased return on the Council's investments and assist Braintree Town Football Club to bring their ground up to standard, so that they can remain in the league, bringing increased benefits to the local community and local economy

## **Minute 51. Review of Treasury Management Investment Policy**

**DECISION:** That the following changes to the Council's investment policy be approved:

1. That a two tier creditworthiness criteria and set of different financial and duration limits be introduced as follows:

	<b>Tier 1 – Institutions that meet the Council's current creditworthiness criteria</b>	<b>Tier 2 – Institutions that meet the Councils minimum short-term &amp; support rating, but have a long-term rating of at least A- (or equivalent)</b>
Maximum Limit	The higher of 15% of cash balances or £5 million.	£3 million
Maximum duration	As per current limits (modified from time to time by any advice to restrict to shorter duration from Arlingclose)	Up to 1 month

2. That the maximum exposure to "triple A rated" Money Market Funds be increased to £12 million and that the number of active funds be increased to four.
3. That the use of the Co-operative Bank Public Sector Reserve account (or overnight/ next working day deposits) be maintained for cash that may be required for short-medium term operational/ liquidity requirements and up to a maximum of £5 million.

**REASON FOR DECISION:** To introduce greater flexibility in the investment policy in response to changes in the credit rating of UK financial institutions without compromising the principal treasury management objectives of security and liquidity.

## **Minute 55. Braintree Town Hall Capital Project – Additional Funding Requirement**

**DECISION:** That £104,000 be allocated from capital resources for the repair of the Town Hall Clock Tower and provision of a new kitchen at the Town Hall Centre.

**REASON FOR DECISION:** To provide the necessary funding to cover major repair work to the Clock Tower over and above that budgeted for along with improvements to the kitchen.

### 43 **STATEMENTS BY MEMBERS**

**INFORMATION:** No statements were made.

### 44 **QUESTIONS BY MEMBERS**

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

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

## **Councillor Butland, Leader**

Councillor Butland added the following to his report:

Together with Cabinet colleagues, he had launched the next phase of the town centre regeneration and support programme for the three towns. He announced that in response to representations from retailers that the town centres become very quiet in the late afternoon, the parking charges in Council owned town centre car parks will be reduced to 10 pence after 3pm Monday to Saturday, and all day on Sunday with effect from 21<sup>st</sup> November.

By taking a small charge, the parking ticket machines would still be used enabling the Council to obtain numerical data on the impact of the reduced charge. Information from the retailers would also be helpful in assessing the impact. Councillor Butland commented that at a time when local authorities are increasing their charges, the initiative of reducing the charges is to be welcomed. The estimated cost of running the initiative through to 31<sup>st</sup> March is £33,000.

Councillor Butland also reported on work to address empty shops in the district. He commented that the district was fortunate in having a percentage of empty shops lower than the national average but any empty shop can damage the appearance of a town centre. The Council therefore wished to bring empty shops back to life.

To help address the issue, the Council will work with local landlords and the business support agency BDS, to provide advice and guidance to potential new retailers, to encourage them to make use of the facilities, and possibly support them with some reduction in rates to enable new entrepreneurs to get started.

In the case of other empty shops, the Council would look to make them attractive with art displays from local artists and shop front vinyl covers.

Also, in response to feedback in the Talk of the Towns consultation on the cleanliness of the town centres, the Council would be undertaking a deep clean of the town centres in the spring.

In addition, the "Loving Your High Street Awards" would be returning in December.

A Regeneration Manager has recently been appointed to help with the work. The Council would be doing this work in partnership with local traders including BID who had signed up in Braintree. Work is also underway with Witham Town Council and Halstead Town Council to develop the regeneration of those towns.

Councillor Butland also reported that the Council has written to parish councils confirming that the Parish Support Grant would continue for 2012-13 at the existing rate fulfilling the commitment given.

On Community Place Budgets, Councillor Butland reported that there is a proposal that Essex might be considered as a whole place pilot. He has

indicated to Essex County Council that the District Council would be willing to support the pilot.

Councillor Barlow welcomed the efforts to help in town centres but saw a need to hold events (eg Witham Puppet Festival) to increase footfall.

In response to a question from Councillor Dr Evans, Councillor Butland confirmed that community budgeting was about statutory agencies coming together to tackle interconnected activities in a way which for a single agency is extremely difficult. He cited families with multiple needs as an example.

### **Councillor Beavis, Communities**

Councillor Beavis highlighted Hatfield Peverel being announced as a chosen village for the Olympic Torch route in the district.

Councillor Beavis added that the second Leisure Bulletin has been issued to all members. The Bulletin will also be issued to partners and stakeholders shortly.

Councillor Barlow said he had received reports of Neighbourhood Action Partnerships (NAPs) being disbanded and of the Police withdrawing from others. Councillor Beavis replied that NAPs were working well in a number of areas although it was a matter for the police how they were involved. In some cases the police found it more beneficial to attend Parish Council meetings rather than hold NAPs. She believed the Police are happy to work through either Parish Councils or NAPs depending which worked best for the local community.

Councillor Beavis saw opportunities for members to become involved in NAPs and would be happy to provide details to any member who contacted her.

Councillor Barlow still had concerns at reports of certain NAPs disappearing. He would provide more details to Councillor Beavis.

### **Councillor Lady Newton, Enterprise, Housing and Development**

Councillor Lady Newton agreed to clarify the information in her report of a members seminar on 9<sup>th</sup> November related to planning policies.

In response to a question from Councillor Abbott, Councillor Lady Newton agreed to check with officers and to advise him on when the report on the review of the Silver End Conservation Area will be available.

In response to a question from Councillor Dr Evans on Mayland House, Councillor Lady Newton reported that discussions were continuing on a possible further tenant for the building.

In response to a question from Councillor Barlow on S106 monies, Councillor Lady Newton said she was not aware of the Council returning any monies to developers and that S106 programmes are closely monitored by the Council.

### **Councillor Schmitt, Environment**

Councillor Schmitt reminded members that the Green Heart campaign had now been going for 18 months. She reminded all members of the need to report litter, graffiti or fly posting and asked members not to forget to report such incidences. She similarly asked Directors to remind Council staff of the need to report incidences.

Councillor Abbott asked if the Government's decision to reduce the feed-in tariff for solar power systems would impact on the Council's plans for solar panels on Council buildings given that, 37 Council owned sites are currently being assessed. Councillor Schmitt replied that the Council was working with the supplier of the solar panels for Causeway House to meet the deadline before the tariff is reduced. There could be difficulties for the other planned sites and she would circulate information to all members when she had definitive information.

Also, in response to a question from Councillor Parker, Councillor Schmitt agreed to provide details to members on the impact of the reduction in the feed-in tariff on the wind turbine at Great Notley.

In response to a question from Councillor Barlow on total amounts of recycling of waste, Councillor Schmitt confirmed that reported figures of Council waste recycling of 54% did not include figures on waste food collection. The actual figure is 56%. The Council is also discussing ways of further increasing the amounts recycled.

In response to a question from Councillor Rice, Councillor Schmitt detailed the reduced hours on the opening hours of local amenity sites.

In response to a question from Councillor Dr Evans, Councillor Schmitt agreed to circulate details on the effectiveness of the Greenfields Clear Paths Policy.

In response to a question from Councillor Galione on the littering of water bottles, Councillor Schmitt advised that the Council was limited in what it could do to tackle the problem beyond sanctions.

### **Councillor Siddall, Efficiency and Resources**

Councillor Siddall believed the Council was now in a far more positive position in respect of payments from the funds invested in Icelandic banks. Test cases are giving high payments levels to local authorities. Subject to test cases, the estimated returns are 100% for Giltner in respect of £1million plus £58,000 contractual interest, and 94.85% in respect of £3million invested with Landisbank plus contractual interest of £140,000. The timings have still to be finalised and the final amounts are subject to changes in exchange rates.

Councillor Siddall advised that he would keep members informed of developments in respect of investments with Icelandic banks.

Councillor Siddall also brought to the attention of members the HR Organisational Development report and decision of Cabinet on 24<sup>th</sup> October on the flexible retirement of the Chief Executive.

### **(ii) Oral Questions to the Leader Without Notice**

**INFORMATION:** no questions were raised.

(iii) **Chairmen's Statements**

**INFORMATION:** No reports were made.

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

**INFORMATION:** No statements were made.

45 **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 8.50pm.

Mrs J M Money  
(Chairman)

**Council Meeting, 7<sup>th</sup> November 2011 – Questions asked and Statements Made**

**Mr K Spencer-Holloway, Braintree**

Mr Spencer-Holloway asked to know the timetable for the appraisal of the town centre conservation area and which buildings have been entered in the English Heritage Register as at risk through being in poor condition.

Councillor Lady Newton, Cabinet Member for Enterprise, Housing and Development, replied that the Council has been reviewing its conservation area boundaries in accordance with Government requirements by undertaking a programme of appraisals. Those appraisals have led to some changes to area boundaries. Appraisals have been undertaken for Witham, Cressing, Bulmer, Finchingfield, Sible Hedingham and Pebmarsh and one is being carried out for Silver End. No further appraisals are planned at present as planning policy staff resources are being focused on the preparations of the Site Allocations and Development Management Policies Plan.

As regards buildings at risk, Councillor Lady Newton will arrange for the provision of a written answer.