

COUNCIL

AGENDA



THIS MEETING IS OPEN TO THE PUBLIC (*Please note this meeting will be webcast*)

<http://www.braintree.gov.uk/Braintree/councildemocracy/committees/Council>

Date: 11 April 2011

Time: 19:15

Venue: Council Chamber, Causeway House, Bocking End, Braintree, CM7 9HB

Membership:

Councillor J E Abbott	Councillor M J Banthorpe	Councillor Miss L Barlow
Councillor J Baugh	Councillor Mrs J C Beavis	Councillor D L Bebb
Councillor E Bishop	Councillor R J Bolton	Councillor G Butland
Councillor G Cohen	Councillor J C Collar	Councillor M Dunn
Councillor Mrs E Edey	Councillor J G J Elliott	Councillor R Elliston
Councillor Dr R L Evans	Councillor A V E Everard	Councillor J H G Finbow
Councillor Ms L B Flint	Councillor T J W Foster	Councillor M G Gage
Councillor Mrs B A Gage	Councillor Mrs M E Galione	Councillor J E B Gyford
Councillor N R H O Harley	Councillor Mrs S A Howell	Councillor P J Hughes
Councillor D L Hume	Councillor M C M Lager	Councillor S J Lambourne
Councillor E R Lynch	Councillor M Lynch	Councillor D Mann
Councillor T McArdle	Councillor N G McCrea	Councillor J McKee
Councillor H Messenger	Councillor A M Meyer	Councillor R G S Mitchell
Councillor Mrs J M Money	Councillor Lady Newton	Councillor J O'Reilly-Cicconi
Councillor Mrs A Olumbori	Councillor Mrs J A Pell	Councillor R Ramage
Councillor D M Reid	Councillor D E A Rice	Councillor Mrs C Sandbrook
Councillor Mrs W D Scattergood	Councillor Mrs W Schmitt	Councillor A F Shelton
Councillor Mrs L Shepherd	Councillor C Siddall	Councillor Mrs J A Smith
Councillor Mrs G A Spray	Councillor F Swallow	Councillor Miss M Thorogood
Councillor S M Walsh	Councillor R G Walters	Councillor T S Wilkinson

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. During this period Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Member Services Team on 01376 551414 or e-mail eileen.self@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham and Halstead.

Members of the Council are requested to attend the above meeting to transact the following business: -

PUBLIC SESSION

1. **Apologies for Absence**
2. **To receive any announcements/statements from the Chairman of the Council.**
3. **Chairman's Charities 2010-2011.** The Chairman to present cheques to his nominated charities for the current Civic Year –

Marie Curie Cancer Care
Braintree District Mencap Society
4. **Declarations of Interest.**
 - (a) To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.
 - (b) Any member with a personal and prejudicial interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time
5. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 23rd February 2011 (Copy previously circulated)
6. **Question Time.** (See above paragraph)
7. **Petition – Stop Campaign – “Talk of the Towns” development plans.** To receive and debate a petition containing 1326 signatures. The Petition requests the Council not to proceed with the development behind the old Braintree Town Hall, as detailed in the "Talk of the Towns" development plan.

Following the debate, Council have the following options available to them:-

- (1) To move a motion that no further action is required;
- (2) To move a motion that the petition be referred to Cabinet or appropriate committee; or
- (3) To move a motion that some other action be taken in response to the petition.

Note: An extract from the Petitions Scheme setting out the procedure will be available to all Members on the evening.

8. **Annual Report of the Standards Committee for 2010/11.** To receive the Annual Report (Report attached – Page 1)
9. **Policy Recommendations and References – Other Committees.**

To consider any policy recommendations which have arisen since the last Council meeting – **There are none**

10. **Statements by Members.**

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). **There are none.**

11. **Question Time**

- (i) **Statements from the Leader and Cabinet Members.** To receive the following reports from each Portfolio Holder.
- a) Councillor Butland, Leader of the Council (Page 4)
 - b) Councillor Walters, Environment and Sustainability (Page 7)
 - c) Councillor Harley, Enterprise and Culture (Page 11)
 - d) Councillor Mrs Beavis, Customers and Communication (Page 14)
 - e) Councillor Lager, Efficiency and Resources (Page 17)
 - f) Councillor Lady Newton, Housing and Well-Being (Page 20)
 - g) Councillor Mrs Schmitt, Clean, Green and Safe (Page 23)
- (ii) Oral questions without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]
- (Please note that the time set aside for this item shall not exceed 30 minutes)*
- (iii) **Chairmen's Statements.** To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements. **None have been received.**
- (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the last Council meeting on 23rd February 2011. (Paper attached – Page 27)

12. To receive reports about and receive questions and answers on the **business of external organisations.**

Annual Reports received from:-

- (i) **Councillor Mrs Sandra Howell – Braintree District Voluntary Support Agency (BDVSA)- Annual Report** Report attached (Page 28)
- (ii) **Councillor Swallow – Braintree District Citizens' Advice Bureau (CAB) Management Board.** Report to Follow.

Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.

PRIVATE SESSION

13. Statements by Members – Private Session

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

There are no statements

(Please note that the maximum time set aside for item 13 shall not exceed 30 minutes)

14. Question Time - Private Session

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants and which contain exempt information. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for item 14 (ii) shall not exceed 30 minutes)

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements - ***There are none.***
- (iv) To raise any matters arising from the minutes of meetings that have been held in private session since the last Council meeting on 23rd February 2011

15. Private Session Policy Recommendations. To consider any policy recommendations (in private session) that have arisen within the last meetings' cycle

- **Cabinet 28th March 2011 – Museum Service.** Extract of Minutes to follow

If you are unable to attend the meeting please forward your apologies for absence to Eileen Self on (01376) 551414 or email eileen.self@braintree.gov.uk

The last page of this agenda is numbered 29.

A J REID
Chief Executive

Health and Safety

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Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended

Date of Meeting

Comments.....
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Contact details.....