

Minutes

Council Meeting

20th February 2013 *(Revised version issued 15th March 2013).*



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.

Present:

Councillors	Present	Councillors	Present
Councillor J E Abbott	Yes	Councillor J S Allen	Yes
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	Apologies	Councillor L B Bowers-Flint (Chairman)	Yes
Councillor G Butland	Yes	Councillor C A Cadman	Yes
Councillor S Canning	Yes	Councillor T G Cunningham	Yes
Councillor J G J Elliott	Yes (until 8.20pm)	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	Yes	Councillor C Gibson	Yes
Councillor M Green	Yes	Councillor P Horner	Yes
Councillor S A Howell	Apologies	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	Apologies	Councillor D Mann	Yes
Councillor J T McKee	Yes	Councillor R G S Mitchell	Apologies
Councillor J M Money	Apologies	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	No	Councillor D E A Rice	Yes
Councillor F Ricci	Yes	Councillor W J Rose	Yes
Councillor V Santomauro	Yes	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	Apologies
Councillor J R Swift	Yes	Councillor P Tattersley	Yes
Councillor C M Thompson	Yes	Councillor M Thorogood	Apologies
Councillor L S Walters	Yes	Councillor R G Walters	Apologies
Councillor S A Wilson	Yes	Councillor B Wright	Yes

64. **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcement covered the following:

- Spending Christmas Day with the Salvation Army and helping with Christmas dinners;
- Visiting Council staff at Christmas time;
- Visiting Brainwave and meeting therapists;
- A reminder to Members to reply to the Chairman's invitation to attend her end of civic year event on 8th March 2013;
- Details of those living in the district receiving awards in the New Year's Honours List.

65. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

- Councillor Abbott declared a non pecuniary interest:
 - in Agenda item 7, Motion submitted by Councillor Banthorpe on the Essex County Council (ECC) Replacement Minerals Local Plan as Chairman of Rivenhall Parish Council which had made representations;
 - in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as Chairman of Rivenhall Parish Council as a precepting authority;
- Councillor Allen declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Halstead Town Council;
- Councillor Banthorpe declared a non pecuniary interest in Agenda item 10(a), Other Policy Recommendations and References - Cabinet 4th February, Disposal of Land for Affordable Housing Development, as a member of Greenfields Community Housing Board;
- Councillor Baugh declared the following non pecuniary interests:
 - in Agenda item 7, Motion submitted by Councillor Banthorpe on the ECC Replacement Minerals Local Plan as a member of ECC;
 - in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of the Braintree Museum Trust Board;
- Councillor Beavis declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Sible Hedingham Parish Council and as Clerk and Responsible Financial Officer to Gosfield Parish Council and Greenstead and Halstead Rural Parish Council;

- Councillor Butland declared the following non pecuniary interests:
 - in Agenda item 7, Motion submitted by Councillor Banthorpe on the ECC Replacement Minerals Local Plan as a member of ECC;
 - in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Great Notley Parish Council;
- Councillor Fincken declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Halstead Town Council;
- Councillor Horner declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Witham Town Council;
- Councillor Kirby declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Halstead Town Council;
- Councillor Lager declared the following non pecuniary interests:
 - in Agenda item 7, Motion submitted by Councillor Banthorpe on the ECC Replacement Minerals Local Plan as a member of Witham Town Council and ECC;
 - in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Witham Town Council;
- Councillor D Louis declared a non pecuniary interest in Agenda item 7, Motion submitted by Councillor Banthorpe on the ECC Replacement Minerals Local Plan as a member of ECC;
- Councillor Mann declared a non pecuniary interest in Agenda item 10(a), Other Policy Recommendations and References - Cabinet 4th February, Disposal of Land for Affordable Housing Development, as a member of Greenfields Community Housing Board;
- Councillor McKee declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as Chairman of the Trustees of Braintree Museum and Warner Textile Archive Trust and as a Director of Ignite;
- Councillor Lady Newton declared a non pecuniary interest in Agenda item 7, Motion submitted by Councillor Banthorpe on the ECC Replacement Minerals Local Plan as a District Councillor for Coggeshall and North Feering Ward;
- Councillor Pell declared the following non pecuniary interests:
 - in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Halstead Town Council;

- in Agenda item 10(a), Other Policy Recommendations and References - Cabinet 4th February, Disposal of Land for Affordable Housing Development, as Chairman of the Halstead Public Gardens Management Committee as the gardens adjoin land referred to in the report;
- Councillor Ricci declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Great Notley Parish Council;
- Councillor Rose declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Witham Town Council;
- Councillor Shelton declared a non pecuniary interest in Agenda item 10(a), Other Policy Recommendations and References - Cabinet 4th February, Disposal of Land for Affordable Housing Development, as a member of Greenfields Community Housing Board;
- Councillor Siddall declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a Board Director of Ignite, and as a Board Director of the Braintree Museum Trust;
- Councillor Wilson declared a non pecuniary interest in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Coggeshall and North Feering Parish Council;
- Councillor Wright declared the following non pecuniary interests:
 - in Agenda item 7, Motion submitted by Councillor Banthorpe on the ECC Replacement Minerals Local Plan as a member of Rivenhall Parish Council which had made representations;
 - in Agenda item 9, Council Budget and Council Tax 2013/14 and Medium – Term Financial Strategy 2013/14 to 2016/2017, as a member of Rivenhall Parish Council as a precepting authority.

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.

66. **MINUTES**

DECISION: That the minutes of the Council meeting held on 10th December 2012 be approved as a correct record and signed by the Chairman.

67. **QUESTION TIME**

INFORMATION: One question was asked which is set out in Appendix A. Councillor Lady Newton, Cabinet Member, Planning and Property, agreed to provide a written response to the person asking the question.

68. **SUBMITTED MOTION – AFFORDABLE CREDIT**

INFORMATION: Councillor Barlow agreed to amend his motion as stated in the Agenda by deleting the last 10 words in the final paragraph.

The amended motion was then seconded by Councillor Dr Evans.

On being put to the vote, the amended motion was declared CARRIED.

DECISION:

This Council welcomes Government proposals to introduce caps on the total lending rates that can be charged for providing credit from, particularly, the so called payday loan companies. Council further acknowledges that the lack of access to affordable credit is socially and economically damaging and notes that unaffordable credit is extracting wealth from the most deprived in our community. Unaffordable credit is causing a myriad of unwanted problems such as poorer diets, colder homes, council tax and utility bill arrears.

Council further believes that it is the responsibility of all levels of government to try to ensure affordable credit for all, and therefore pledges to use its best endeavors to promote financial literacy and affordable lending, including working with other community based organisations in providing debt, money and benefits advice as well as enhanced promotion of Holdfast credit union and others who offer access to affordable credit and saving. Finally the Council calls on Government to give local authorities the power to veto licences for high street credit agencies where they could have a negative impact on communities”.

69. **SUBMITTED MOTION - ESSEX COUNTY COUNCIL REPLACEMENT MINERALS LOCAL PLAN**

INFORMATION: Councillor Banthorpe moved the motion as stated in the Agenda regarding the Essex County Council Replacement Minerals Local Plan. This was seconded by Councillor Tattersley.

There was strong cross-party support for the motion with members wishing to represent the interests of the residents of the district. Councillor Lager said he had difficulty supporting the motion believing it was difficult for Essex County Council to develop a better plan.

Councillor Lady Newton tabled and moved an amendment to the motion adding that the Council also supports all of the recommendations agreed by the Local Development Framework Sub-Committee at its meeting on 13th February 2013. This was seconded by Councillor Barlow.

A vote on the amendment was taken which was CARRIED.

Councillor Abbott tabled and moved a second amendment for reasons of clarity and accuracy which was seconded by Councillor Wright.

A vote on the second amendment was taken which was CARRIED.

Councillor Abbott requested that the vote on the substantive motion be recorded. This was seconded by Councillors Barlow and Wright.

The results of the recorded vote were as follows:

For the Motion

Councillors: Abbott, Allen, Banthorpe, Barlow, Baugh, Beavis, Bebb, Bishop, Bowers-Flint, Butland, Cadman, Canning, Cunningham, Elliott, Dr Evans, Everard, Finbow, Fincken, Foster, Galione, Gibson, Green, Horner, Johnson, Kirby, C Louis, D Louis, Mann, McKee, Lady Newton, Parker, Pell, Ramage, Ricci, Rice, Rose, Santomauro, Scattergood, Schmitt, Shelton, Shepherd, Siddall, Spray, Swift, Tattersley, Thompson, L Walters, Wilson and Wright **(49)**.

Against the Motion

None **(0)**.

Abstained

Councillor Lager **(1)**.

Absent

Councillors: Bolton, Howell, Lynch, Mitchell, Money, O'Reilly-Cicconi, Reid, Sutton, Thorogood, R Walters **(10)**.

The motion was declared **CARRIED**.

DECISION:

“The Council notes that Essex County Council has produced a Replacement Minerals Local Plan to cover the period up to the end of 2029. Sixteen sites have been identified as 'preferred sand and gravel sites' of which seven are within the boundary of Braintree District Council. Of these seven sites, four are extensions to the existing Bradwell Quarry and three are new sites; a 90 hectare site at Broadfield Farm, Rayne, a 95 hectare site between Rivenhall Airfield and Coggeshall Hamlet and a 46 hectare site at Rivenhall End.

The Council rejects the Replacement Minerals Local Plan believing that it is flawed for the following reasons:

- That the extraction of 22.8 million tonnes of the 40.82 million tonnes (56%) of minerals from Braintree District to supply the whole County covering an area of 338 hectares is an unreasonable and unacceptable proportion of the total.
- The provision of a 4.28 million tonne extraction site of 90 hectares at Rayne has not taken proper account of the effects that it will have on the people of Rayne.

In addition the Council also supports all of the recommendations agreed by the Local Development Framework Sub-Committee at its meeting on 13th February 2013.

This Council therefore urges Essex County Council to review the plan and adopt a fairer apportionment of extraction across the County taking greater account of the effects the plan will have on the people of Rayne and Braintree District”.

Note: An extract of recommendations agreed by the Local Development Framework Sub-Committee at its meeting on 13th February 2013 is attached at Appendix B.

70. **SUBMITTED MOTION - FUEL PRICES AND CALL FOR OFFICE OF FAIR TRADING INQUIRY**

INFORMATION: Councillor Canning moved the motion as stated in the Agenda regarding fuel prices and call for an Office of Fair Trading inquiry. The motion was seconded by Councillor Cunningham.

Councillor Barlow said that he believed that the first paragraph in the motion was inaccurate and moved an amendment. The amendment was to delete the entire first paragraph of the motion along with the word “Nevertheless” in the second paragraph. This was seconded by Councillor Dr Evans.

On being put to the vote, the amendment was LOST.

A vote was then taken on the original motion which was CARRIED.

DECISION:

This Council commends the Chancellor of the Exchequer for cancelling the Labour Government’s fuel price escalator which would have meant that the cost of fuel would be at least 10p per litre more expensive. It also congratulates him on not increasing petrol taxes for nearly three years.

Nevertheless this Council is concerned at the cost of motor fuel in the District of Braintree in comparison with neighbouring areas. The high cost of fuel is detrimental to business and motorists, whose reliance on their own transport is essential for the fulfilment of their every day lives.

The Council is disappointed that despite a unanimous vote in Parliament calling for an investigation, the Office of Fair Trading (OFT) has refused to hold a full inquiry into allegations of anti-competitive behaviour in the petrol and diesel market.

It therefore calls on the OFT to reconsider its decision not to hold a full inquiry and to step up the pressure on the oil companies and financial speculators who are pushing up prices at the pump. It also asks local Members of Parliament to support the Early Day Motion number 1000 tabled by Robert Halfon MP.

71. **COUNCIL BUDGET AND COUNCIL TAX 2013/14 AND MEDIUM – TERM FINANCIAL STRATEGY 2013/14 TO 2016/2017**

INFORMATION: Councillor Butland introduced the report. He moved the recommendations in the report which was seconded by Councillor Bebb. Councillor Barlow then spoke on the item as Leader of the Main Opposition Group. Several members also spoke on the item and the debate can be viewed on the Council’s website at:

http://www.braintree.public-i.tv/core/portal/webcast_interactive/94112

Councillor Barlow moved the following amendment which was seconded by Councillor Dr Evans:

“That £750,000 of the New Homes Bonus reserve is earmarked specifically for potential use in the 2013/14 financial year to fund further affordable housing units if the Affordable

Housing Task & Finish Group concludes that this could be achieved effectively and would result in benefitting the Council's housing policies and/or residents' interests".

On being put to the vote, the amendment was LOST.

Councillor Barlow then moved a second amendment which was seconded by Councillor Dr Evans as follows:

"That the Council sets aside a sum of £100,000 from the unallocated reserve to provide financial cover for the risk identified in potential non payment from those subject to paying contributions to the Council's Council Tax Benefit Scheme during the 2013/14 financial year and that a detailed evaluation of the circumstances and assistance offered to those identified as having difficulties in meeting their payment obligations is undertaken in order to devise strategies to pursue cost effectively any debts thus arising."

On being put to the vote, the amendment was LOST.

Councillor Butland requested that the vote on the recommendations on the Council Budget and Council Tax resolution be recorded. This was seconded by Councillors Bebb and Siddall.

The results of the recorded vote were as follows:

For the Motion

Councillors: Allen, Banthorpe, Baugh, Beavis, Bebb, Bowers-Flint, Butland, Cadman, Canning, Cunningham, Finbow, Foster, Galione, Horner, Johnson, Kirby, Lager, C Louis, D Louis, McKee, Lady Newton, Parker, Pell, Ramage, Ricci, Rose, Santomauro, Scattergood, Schmitt, Shelton, Shepherd, Siddall, Spray, Swift, Tattersley, Thompson, L Walters, Wilson **(38)**.

Against the Motion

Councillors: Barlow, Bishop, Dr Evans, Everard, Fincken, Gibson, Green, Mann, Rice **(9)**.

Abstained

Councillors: Abbott and Wright **(2)**.

Absent

Councillors: Bolton, Elliott, Howell, Lynch, Mitchell, Money, O'Reilly-Cicconi, Reid, Sutton, Thorogood, R Walters **(11)**.

The original motion was declared **CARRIED**.

DECISION: That the following be approved:

1. The budget variations to the current base budget for: inflation (section 7 in the report), investment income (section 8.1) and the adjustments of bids and unavoidable budget changes in previous years (Appendix C);
2. The savings as detailed in Appendices E and F;
3. The Priority Areas Investment bids detailed in Appendix A;

4. The request to carry forward £34,000 of planning income from 2012/13 to 2013/14;
5. The New Burdens Grant of £74,093 to be received in 2013/14 be held in an earmarked reserve, to be utilised in respect of the Local Council Tax Support scheme and authorised by the Cabinet Member for Planning and Property;
6. The unavoidable budget changes in 2013/14 detailed at Appendix B;
7. The Council Tax Freeze grant receivable from the Government in 2013/14 be accepted;
8. The Council's discretionary fees and charges for 2013/14 as detailed in Appendix H;
9. The Council's housing rents and service charges are increased by 3.1% for 2013/14, as detailed in Appendix H, and that the service charges at Craig House, as specified in the report, be charged in addition to the rent to those occupying the guest room at Craig House;
10. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste and Town Hall Centre fees and charges for commercial purposes;
11. The Council's Pay Policy for 2013/14 as detailed in Appendix J;
12. An allocation of £352,519 from the General Fund unallocated balance in 2013/14;
13. The New Homes Bonus allocation for year 3, of £605,958, is added to the New Homes Bonus earmarked reserve;
14. Transfers between earmarked reserves in 2012/13 and estimated drawdown from earmarked reserves for 2013/14 as detailed in Appendix M;

Capital

15. The General Fund Capital bids for 2013/14 listed in Appendix N;

Treasury Management

16. The Prudential Indicators and limits set out in Appendix P;
17. The Policy on Minimum Revenue Provision as recommended in Appendix P;
18. The Treasury Management Strategy, including annual investment strategy, for 2013/14 (Appendix P);

Council Tax

19. The proposed estimates (producing a budget requirement for council tax purposes of £15,488,690) as detailed in Appendix K and the Council Tax for 2013/14 of £161.19 for a Band D property, having taking into consideration:
 - The consultation feedback received;
 - 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 R to the report).

That the following be noted:

20. The Efficiency Review programme as detailed in Appendix G.
21. That subject to consultation with and support from Parish and Town Councils, additional grant payment to parish and town councils in 2013/14, totalling £174,299, to mitigate the reduction in their council taxbase, agreed by the Leader of the Council on 21st December 2012.

Council Tax Resolution 2013/14

22. That Council Tax rates for 2013/14 be set in accordance with the following resolution:

Council Tax Base

Under delegated powers the Corporate Director has determined the amount of Council Tax Base for the whole Council area for 2013/14 as 48,595 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.

Calculation of the Council Tax Requirement

The following amounts are calculated by the Council for the year 2013/14, in accordance with the Local Government Finance Act 1992 (as amended):-

- a) £86,640,765 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 local precepts issued to the Council.
- b) £77,182,971, 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 general fund balances, and the Council's share of the estimated Collection Fund balance at 31 March 2012.
- c) £9,457,794, being the council tax requirement for the year calculated as the difference between expenditure and income as set out at (a) and (b).

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

- d) £4,578,763, being the amount of Revenue Support Grant receivable from central government for the year.

- e) £3,046,139, being the estimated amount of the local share of business rates retained by the Council for the year after deducting tariff and estimated levy payments to central government totalling £12,422,024.
- f) £30,760, being the amount that has been calculated as the Council's share of the estimated Collection Fund balance at 31 March 2013, which will be transferred from the Collection Fund to the General Fund revenue account in 2013/14.
- g) £1,624,766, being the total of all local precepts received from town and parish councils and taken into account in making the calculation of the council tax requirement at (c) above, and shown in Column 3 of Schedule A.

Calculation of the Basic Amount of Council Tax

The following amounts have been calculated:

- h) £194.62, being the basic amount of council tax for the year including local precepts, calculated by dividing (c) by the Council Tax Base for the whole district.
- i) £161.19, 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	107.46
B	7/9	125.37
C	8/9	143.28
D	9/9	161.19
E	11/9	197.01
F	13/9	232.83
G	15/9	268.65
H	18/9	322.38

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 £7,833,028.

Under the principles set by the Secretary of State for Communities and Local Government for the 2013/14 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.

- j) The amounts shown in Column 5 of Schedule A, calculated by adding to the basic amount of council tax at (i) above, 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.
- k) The Council has been advised of the following precepts to be issued for 2013/14:

- Essex County Council £52,810,616
- Essex Police £6,875,221
- Essex Fire & Rescue £3,227,680

Expressed as a council tax rate for dwellings in the following property bands:

Property Band	Essex County Council	Essex Police	Essex Fire and Rescue
A	724.50	94.32	44.28
B	845.25	110.04	51.66
C	966.00	125.76	59.04
D	1086.75	141.48	66.42
E	1328.25	172.92	81.18
F	1569.75	204.36	95.94
G	1811.25	235.80	110.70
H	2173.50	282.96	132.84

- l) That having calculated the aggregate of the amounts stated under (j), and (k) above for each area within the District, the Council hereby sets the amounts shown in Schedule B as the total amount of Council Tax for each of the property bands.

Special Expenses

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.

REASON FOR DECISION: To determine the budget and council tax levels for 2013/14 in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

72. **POLICY RECOMMENDATIONS AND REFERENCES – CABINET – 4TH FEBRAURY 2013 – DISPOSAL OF LAND FOR AFFORDABLE HOUSING DEVELOPMENT**

INFORMATION: Councillor Lady Newton, Cabinet Member, Planning and Property, moved the recommendations in the report. This was seconded by Councillor Beavis, Cabinet Member, People and Participation.

In response to a question, Councillor Lady Newton, Cabinet Member, Planning and Property, agreed to provide Councillor Dr Evans with details on the mix of housing at the site at Forest Road, Witham.

Councillor Wright said that under the Local Development Framework process, a community hall which had been demolished in the Forest Road area to provide land for 300 houses was due to be replaced. He asked if the hall is to be rebuilt. Councillor Lady Newton agreed to provide a written response to Councillor Wright.

DECISION:

1. That land be disposed of at:
 - the rear of Lancaster Way, Braintree to Greenfields Community Housing for the provision of new rented affordable housing;
 - Forest Road, Witham to Greenfields Community Housing for the provision of new rented affordable housing;
 - New Street, Halstead to a partner housing association, yet to be confirmed, for the provision of new rented affordable housing.
2. That authority be delegated to the Corporate Director and Cabinet Member to agree the final terms of these land disposals.

REASON FOR DECISION: To enable the development of affordable housing in the district.

Duration of Meeting

Councillor Butland moved that the meeting be extended beyond the 3 hour limit in accordance with Articles 1.10 and 1.11 of the Constitution. Members agreed unanimously in favour of continuing the meeting to deal with the remaining business set out in the agenda.

73. **QUESTIONS BY MEMBERS**

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

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

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/94112

Main topics covered were as follows:

- The Leader had opposed the rate of increase in local taxes proposed by the Police and Crime Commissioner for Essex;
- Councillor Bebb, following his announcement in the Budget debate, gave a further explanation of the proposed Local Authority Mortgage Scheme and stated that a report would be considered at the next meeting of Cabinet in April;
- The Council's policy with regard to the Local Development Framework and the possible development of the A120;
- Witham Leisure Centre and the associated use of the leisure facilities at the two local academies;

- Rail loop on the Witham – Braintree branch line;
- The Council following Planning Policies and possible issues related to economic growth;
- The Council considering helping people in the district with housing through the Local Authority Mortgage Scheme;
- County, district and parish councils and members of the public working together to bring about change to proposals by national companies, such as National Grid, to the benefit of the district in protecting rural countryside;
- Boost to the local economy in Witham from 600 new jobs in the town from Cofunds taking up tenancy in Mayland House, Witham;
- Remedial work to pavements in the towns;
- Braintree Town Open Forum;
- Pop up Shops will launch on 22nd March.
- The Parking Partnership and safety related Traffic Orders
- 44,000 additional vends as a result of the 10p after 3pm car parking initiative which it is estimated is bringing in an estimated additional £500,000 expenditure in Braintree and Witham.
- Play equipment, incorporating the provision of seating, with a tree planting scheme at the Bramble Road, Witham play area;

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

- Councillor Bebb agreed to provide Councillor Dr Evans with details on the awarding body for qualifications for the apprentices working at the Council;
- Councillor Lady Newton, Cabinet Member, Planning and Property, agreed to ask Planning Officers to contact National Grid on a consultation on sub-stations for the Bramford to Twinstead powerline with the preferred sites being Wickham St Paul and Castle Hedingham. She agreed to ask Officers to request that National Grid alert residents in the areas concerned and carry out additional consultation about their plans, and request an extension to the consultation period.
- Councillor Siddall agreed to provide Councillor Galione with details on charging arrangements in Council-owned car parks on Bank Holidays.

(ii) **Chairmen's Statements**

INFORMATION: No statements were made.

(iii) **Oral Questions Without Notice**

INFORMATION: Councillor Lager asked why the Council had followed its planning policy which had resulted in the loss of a £10million investment from Morrisons Supermarket in Witham. Councillor Lady Newton responded that the proposals for the supermarket would have had a significant adverse impact on the viability of Witham High Street. The proposed extension would have resulted in the supermarket having a larger floor space than the town centre anchor store and would be unsustainable for the town centre. She also added that the Council is not ruling out any extension to the supermarket.

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

INFORMATION: No matters were raised.

74. **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 10.32pm.

L B Bowers-Flint
(Chairman)

Council Meeting, 20th February 2013 – Questions

Speaker	Questions
Paul Ryland, Witham	<p>In respect of the planning application to extend the existing supermarket at Morrisons Supermarket, Witham, considered by the Planning Committee on 19th February:</p> <p>Why was localism not embraced and why did Witham not get a better hearing?</p> <p>What does the Council intend to do to bring about the construction of a multi storey car park at Witham station?</p>



Minutes

Local Development Framework Sub-Committee

13th February 2013

EXTRACT

50 ESSEX COUNTY COUNCIL MINERALS LOCAL PLAN SUBMISSION DOCUMENT – RESPONSE

DECISION: That it be Recommended that the Cabinet Member, Planning and Property, takes account of the following in her response to Essex County Council's consultation:-

A. That the objections set out in the report considered by the Local Development Framework Sub-Committee and amended as agreed at that meeting be submitted to Essex County Council in response to its Replacement Minerals Local Plan Pre-Submission Draft Document, which are summarised as follows, subject to Braintree District Council drawing the Highways Agency's attention to the impact of additional HGV traffic on junctions with the A12 around Witham, particularly the southbound on-slip and the wider road network; and to the deletion of paragraphs 4.19 and 4.35 and changes to refer to impacts on public rights of way and cumulative impacts including impacts of waste proposals.

- i) That the allocation of sites for sand and gravel extraction fails to meet the Plan's strategy for a geographic dispersal of sites across the County and therefore fails in its target to minimise mineral miles.
- ii) That the Plan is not justified as it has failed to adequately assess the cumulative impact of such a high proportion of extraction sites within a small area of the Essex.
- iii) That the Council strongly objects to the inclusion of site A9 Broadfield Farm, Rayne due to the impacts on: -
 - The local population
 - The local landscape
 - The Protected Lane at Pods Lane and two Local Wildlife Sites
 - The B1256 and other roads in the vicinity
 - Historic Environment
 - Agricultural Land
 - Public rights of way

- iv) That the Council strongly objects to the inclusion of site A46 Colemans Farm, Rivenhall due to the impacts on;
 - Little Braxted Lane and A12 from the access
 - Residents in Braxted Road and Rivenhall End
 - The local landscape and including on the river valley and the reservoir
 - Impact on the local environment
 - Public rights of way
- v) That the Council strongly objects to the inclusion of sites A5 and A6 Bradwell Quarry, Rivenhall Airfield due to the impacts on;
 - The local population including residents of Coggeshall Hamlet and Silver End garden village.
 - The local landscape including Storeys Wood Local Wildlife Site
 - The historic environment
 - The businesses at the Former Polish Camp Site
 - Agriculture
 - Public rights of way
 - The cumulative impact of all development proposals for the area, in particular, the existing planning permission for a waste site.
- vi) That the Council strongly objects to the inclusion of site A7 at Bradwell Quarry, Rivenhall Airfield due to the impacts on;
 - The local population including residents of Coggeshall Hamlet
 - The landscape including the Protected Lane and bridleway
 - The size of the site
 - Agriculture
 - The historic environment
 - Public rights of way

B. That the Council should not object to sites A3 and A4 at Bradwell Quarry, Rivenhall Airfield.