

Minutes

Annual Meeting of the Council

26th May 2011



These minutes principally record decisions taken only and where appropriate, the reasons for the decisions. An audio recording of the meeting is available from Member Services.

Present:

Councillors	Present	Councillors	<u>Present</u>
Councillor J E Abbott	Yes	Councillor Ms J S Allen	Yes
Councillor M J Banthorpe	Yes	Councillor P R Barlow	Yes
Councillor J Baugh	Yes	Councillor Mrs J C Beavis	Yes
Councillor D L Bebb	Apologies	Councillor E Bishop	Yes
Councillor R J Bolton	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
Councillor Dr R L Evans	Yes	Councillor A V E Everard	Yes
Councillor J H G Finbow	Yes	Councillor M J Fincken	Yes
Councillor Ms L B Flint	Yes	Councillor T J W Foster	Yes
Councillor Mrs M E Galione	Yes	Councillor Ms C Gibson	Yes
Councillor P Horner	Yes	Councillor Mrs 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 Mrs C Louis	Yes	Councillor D Mann	Yes
Councillor J T McKee	Yes	Councillor D G Messer	Yes
Councillor R G S Mitchell	Yes	Councillor Mrs J M Money	Yes
Councillor Lady P Newton	Yes	Councillor J O'Reilly-Cicconi	Yes
Councillor Mrs I C F Parker	Yes	Councillor Mrs J A Pell	Yes
Councillor R P Ramage	Yes	Councillor D M Reid	Yes
Councillor D E A Rice	Yes	Councillor W J Rose	Yes
Councillor Mrs C Sandbrook	Apologies	Councillor S Sandbrook	Apologies
Councillor Ms V Santomauro	Yes	Councillor Mrs W D Scattergood	Yes
Councillor Mrs W Schmitt	Yes	Councillor A F Shelton	Yes
Councillor Mrs L Shepherd	Yes	Councillor C Siddall	Yes
Councillor Mrs G A Spray	Apologies	Councillor Ms J S Sutton	Yes
Councillor J R Swift	Yes	Councillor P Tattersley	Yes
Councillor Ms C M Thompson	Yes	Councillor Miss M Thorogood	Yes
Councillor Ms L S Walters	Yes	Councillor R G Walters	Yes
Councillor Ms S A Wilson	Yes	Councillor B Wright	Yes

List of Engagements

A list of engagements carried out by the Chairman during his term of office was circulated and noted.

Presentation to retiring Councillors

The Chairman was pleased to present citations to the following retiring Councillors: McCrea, Wilkinson, E Lynch, and Miss Barlow.

Councillors Hume, Mrs B Gage, M Gage, Messenger, Mrs Olumbori, and Hughes also received citations, but were not present at the meeting.

Chairman's Address to the Council

Councillor Shelton, as the out-going Chairman, thanked members for the honour of being Chairman of the Council. Councillor Shelton had enjoyed meeting many people across the district and highlighted some memorable events in his time as Chairman. He also thanked the Council's Civic Staff and the Chief Executive for supporting him as the Chairman.

The Chief Executive thanked the Chairman and presented him with a signed citation, an album recording the events from his year in Office and a badge denoting his past Chairmanship.

Councillor Butland as Leader of the Council and on behalf of the Conservative Group, and Councillor Dr Evans on behalf of the Labour Group, both thanked Councillor Shelton for his hard work and active role as Chairman. Thanks were also expressed to Councillor Shelton's wife.

1 ELECTION OF CHAIRMAN FOR THE YEAR 2010/11

DECISION: That Councillor Mrs Money be elected as Chairman of the Council for the year 2011/12.

Councillor Mrs Money received the Chairman's Chain of Office and signed the Declaration of Acceptance of Office.

In accepting the Chain of Office, the Chairman said it was a real honour and privilege to be elected as Chairman and that she would endeavour to carry out her duties as Chairman to as many residents as possible.

2 APPOINTMENT OF VICE-CHAIRMAN FOR THE YEAR 2010/11

DECISION: That Councillor Ms Flint be appointed Vice-Chairman of the Council for the year 2011/12.

Councillor Ms Flint was presented with the Vice-Chairman's badge and signed the Declaration of Acceptance of Office. Councillor Ms Flint said that serving the community played a big part of her life and that she would do her utmost to serve the Council and the people of the District.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to papers tabled on various appointments.

4 MINUTES

DECISION: Subject to amending Minute 63 to reflect that Councillor Gyford was a former Leader of the Council (and not a former Chairman of the Council), that the minutes of the meeting of the Council held on 11th April 2011 be approved as a correct record and signed by the Chairman.

5 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

- Councillor Abbott declared a personal and prejudicial interest in Agenda Item 8(a)2, special responsibility allowance to a leader of a political group, as the only member affected by the proposed change. Councillor Abbott left the meeting whilst this item was discussed by Council, and the vote taken thereon.
- Councillor Lager declared a personal interest in item 13, Appointments to Representatives to Serve on Outside Organisations, as a member of Essex County Council and Chairman of the Witham Area Traffic Management Liaison Committee which became the subject of a motion during consideration of this item.

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

6 **NOTIFICATION OF THE LEADER OF THE COUNCIL**

In accordance with the Constitution, the Chairman confirmed, the Leader of the majority group, Councillor Butland, as the Leader of the Council for the year 2011/12

7 **LEADER'S STATEMENT**

The Leader drew attention to the details of the Cabinet Members and Deputies for the year 2011/12 already published as follows:-

Position and Portfolio	Portfolio Holder	Deputy Portfolio Holder
Leader	Cllr Butland	Cllr Bebb
Efficiency and Resources	Cllr Siddall (also Deputy Leader)	Cllr O'Reilly-Cicconi
Enterprise, Housing and Development	Cllr Lady Newton	Cllr McKee
Environment	Cllr Mrs Schmitt	Cllr Mitchell
Communities	Cllr Mrs Beavis	Cllr Tattersley

The Leader of the Council stated that the size of the Cabinet had been reduced in line with an election commitment. He paid tribute to Councillors Lager and Walters saying both had served with distinction over many years and that their expertise would be retained within the Council. He thanked them both of behalf of the Council for all they had done.

The Leader of the Council welcomed new members to the Council and paid respect to Councillor Dr Evans as the outgoing Leader of the Labour Group. The Leader said Councillor Dr Evans had been a perfect gentleman and thanked him for all he had

done. The Leader also congratulated Councillor Barlow on becoming Leader of the Labour Group and Leader of the Opposition.

The Leader drew attention to commitments given in his political group's manifesto and said his group would move steadily and quickly to implement them. Namely:

- A freezing of the Council Tax for a second year;
- A reduction in the cost of Councillor Allowances;
- The regeneration of the three town centres;
- A commitment to clean and green;
- Localism – an aim of encouraging the development of the Big Society agenda and of supporting enterprising communities.

In respect of the localism agenda, the Leader announced that the fund in support of this would be increased from £250,000 to £500,000. The fund would be available to local neighbourhoods and communities but will be accessed through elected members only. Cabinet will be asked at its next meeting on 9th June to establish a working group comprising non executive members to bring forward proposals on how a scheme might operate to use the fund. The proposals should be submitted to the September meeting of Cabinet for consideration. The Leader saw the fund being run by non executive members and not as part of the Executive.

The Leader will ask Councillor Mrs Spray to be Chairman of the Working Group. The Leader would also welcome nominations from backbench members from other political groups to participate in the working group. The Leader saw this as a real opportunity to enhance the role elected members, to transfer powers from the Executive, and to assist communities take more control.

8 **MEMBERS ALLOWANCE SCHEME**

INFORMATION: Councillor Butland moved the motion as stated in the Agenda for containing certain proposals in respect of the members allowance scheme. This was seconded by Councillor Siddall.

At the request of Councillor Barlow, and agreed by Councillor Butland, a vote was taken on each proposal within the motion individually. Each was CARRIED.

DECISION: That the following Motion be approved:

“This Council welcomes the immediate implementation of the Conservative Party's election pledge to reduce the cost of members' allowances. It notes that the reduction in the number of members of the Cabinet, the reduction in the number of Deputy Cabinet members and the abolition of Local Committee Chairmen will reduce the cost to the Council taxpayer by £48906 in the current year.

The Council agrees that:-

- (a) Subject to the consideration of any recommendations that the Independent Remuneration Panel may make, that it amends its Members' Allowance Scheme as follows:-

1. That the Chairman of the Local Development Framework Panel be included in the list of special responsibilities as set out in Part 2 of Appendix 1 of the current scheme and that the amount of the allowances shall be equivalent to the basic allowance x 1;
 2. That a sub paragraph (d) be added to paragraph 3 of the current scheme to state that the payment of a special responsibility allowance to a leader of a political group shall be limited to the leader of an opposition group which has 5 or more members;
- (b) the Independent Remuneration Panel Be asked to consider and make recommendations on the following issues:
1. The possible linking of part of the Basic Allowance to training and development undertaken by members;
 2. The ICT Allowance paid to members in light of the greater reliance on technology for communication and engagement;
- (c) in the light of the decision by HM Revenue and Customs (HMRC) to increase the motor mileage threshold from 40p to 45p a mile the Council reviews the travelling allowances set out in Part 6, Appendix 3 , of the current scheme.
- (d) A full report on the issues set out above be presented to the September 2011 meeting of the Council.

Any amendments to the scheme shall apply retrospectively to the beginning of the financial year in which the amendment is made”

9 **APPOINTMENT OF COMMITTEES/PANELS**

DECISION: That the appointment of Members to the following Committees/Panels be confirmed:-

(1) Planning Committee

Councillors Abbott, Bishop, Bolton, Cadman, Ms Flint, Foster, Horner, Kirby, Mann, Lady Newton, O'Reilly-Cicconi, Mrs Scattergood, Mrs Shepherd and Mrs Spray.

(2) Licensing Committee

Councillors Banthorpe, Baugh, Cunningham, Elliott, Finbow, Fincken, Galione, Gibson, Howell, Johnson, Mrs Pell, S Sandbrook, Shelton, Mrs L Walters, Mrs Wilson and Wright.

(3) Overview and Scrutiny Committee

Councillors Barlow, Cadman, Dr Evans, Mrs Howell, D Louis, Ramage, Rose, Mrs C Sandbrook, Mrs Spray, Mrs Sutton, and Swift.

(4) Local Development Framework Panel

Councillors Bebb, Butland, Everard, Lager, McKee, Lady Newton, Mrs Scattergood, Siddall, Miss Thorogood and R Walters.

(5) Audit Committee

Councillors Canning, Lager, Messer, Mrs Money, Reid, Rice, Ms Santomauro, and Mrs Thompson

(6) Standards Committee

Councillors:- Finbow, Fincken, O'Reilly-Cicconi and Mrs Wilson.

Independent Representatives:- Ms K Harman, T Jones, Ms H Paton, C Webb and one vacancy.

Parish Representatives:- J Burlo, J Clark, and M Phillips.

(7) Employment Appeals Panel

Councillors Dr Evans, Mrs Galione and Tattersley.

Reserves: Mrs Parker, Mrs Wilson

Councillor Butland moved a motion to suspend Rule 1.1.9 for the remainder of the item (adjournment to enable the appointed Committees to elect their respective Chairmen and appoint their respective Vice-Chairmen) and to agree the appointment of Chairmen and Vice-Chairmen in accordance with a schedule tabled at the meeting. The motion was seconded by Councillor Siddall.

A vote on the motion was taken which was CARRIED.

DECISION: That Rule 1.1.9 be suspended for the remainder of this item and that the appointment of Chairmen and Vice-Chairmen be agree in accordance with following tabled schedule:

Committee	Chairman	Vice-Chairman
Planning	Cllr Mrs Scattergood	Cllr Foster
Licensing	Cllr Banthorpe	Cllr Baugh
Overview & Scrutiny	Cllr Dr Evans	Cllr Ramage
Local Development Framework Panel	Cllr R Walters	Cllr Mrs Scattergood
Audit	Cllr Lager	Cllr Reid
Employment Appeals Panel	Cllr Dr Evans	Cllr Tattersley

10 **MEMBERSHIP OF THE INDEPENDENT REMUNERATION PANEL**

DECISION:

- (1) That the current membership of the Independent Remuneration Panel, Ms R Williams and D Dyson be noted.
- (2) That the current membership of the Panel together with the Assistant Chief Executive be authorised to form an interview panel to interview shortlisted candidates and to delegate to the Panel authority to appoint to the three vacant positions.

11 **SCHEME OF DELEGATION**

DECISION:

- (1) That the updated Scheme of Delegation for Officers as set out in Appendix 2 to the agenda be approved.
- (2) That the remaining, delegation of powers within the Scheme of Delegation, as set out in Part 3 of the Constitution, be confirmed.

12 **APPOINTMENT OF GROUPS/BOARDS/PANELS**

DECISION: That the following Councillors be appointed to the Groups/Boards/Panels as listed below:

- (1) Braintree District Local Strategic Partnership (PACT) Executive
Councillor Butland.
- (2) Braintree District Local Strategic Partnership (PACT) (Steering Group)
Councillor Bebb.
- (3) Crime and Disorder Reduction Partnership
Councillor Mrs Beavis (or Deputy).
- (3) Cultural Partnership Board
Councillors Mrs Beavis, Bishop, Elliott, Everard, and Mrs Spray.
- (4) Economic Development and Transportation Partnership Board
Councillors Barlow, Mann, McKee, Lady Newton, Mrs Money, Mrs Sutton, and R Walters.
- (5) Health, Housing and Well-Being Partnership Board (now incorporating the former Children and Young People Strategic Partnership)
Councillors Lady Newton (or Deputy) and Mrs Schmitt (or Deputy).
- (6) The Compact Review Group
Councillor Mrs Beavis
- (7) Third Sector Partnership Board
Councillor Mrs Beavis.

13 **APPOINTMENT OF REPRESENTATIVES TO SERVE ON EXTERNAL ORGANISATIONS**

INFORMATION: Councillor Barlow proposed the following motion in respect of Braintree District Local Highways Panel:

“Given that there is a review being undertaken by Essex County Council with regard to putting in different arrangements for the engagement of councillors and localities in highway matters, but that has yet to be clarified and proposed, this Council objects to the early disbandment of Traffic Management Liaison Panels until such time as an adequate replacement is available to councillors both to scrutinise and accept”.

The motion was seconded by Councillor Abbott.

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

DECISION: That the following appointments be made to external organisations for the Civic Year 2010/11:-

Organisation/Partnership Board	Appointed Councillor(s)
Braintree and Bocking Community Association	Cllr Baugh
	Cllr Ramage
Braintree District Arts Council	Cllr Elliott
	Cllr Everard
Braintree District Museum Study Trust Ltd - corporate trustee	Cllr Siddall
Braintree District Museum Study Trust Ltd - Trustee appts confirmation	Cllrs Ms L Flint, McKee and Bishop
Braintree District Local Highways Panel	Cllr R Walters
	Cllr Lady Newton
	Cllr S Sandbrook
	Cllr Fincken
	Cllr Rice
	Cllr Mrs Howell
Braintree Town Centre Strategy Group	Cllr Banthorpe
	Cllr Baugh
	Cllr Mann
	Cllr McKee
Braintree United Charities	Cllr Ms Santomauro
	Mr I McNee
	Cllr Mrs L Walters
	Vacancy
	Cllr Mrs C Gibson
Coggeshall Old People's Welfare Association	Cllr Lady Newton
	Cllr Mrs Wilson
Dedham Vale & Stour Valley Advisory Committee	Cllr Cadman
	Cllr Shelton
Earls Colne Airfield Liaison Committee	Cllr Mrs Spray

Earls Colne and Halstead Educational Charity	Cllr Siddall
First Stop Group (New Directions)	Cllr Baugh
	Cllr Miss Thorogood
	Cllr Rice
Freeport Braintree Consultative Committee	Cllr Banthorpe
	Cllr Bishop
Friends of Bocking Windmill	Cllr Everard
Friends of Halstead Public Gardens	Cllr Mrs Sutton
	Cllr Mrs Pell
Greenfields Community Housing Board	Cllr Banthorpe
	Cllr Shelton
	Cllr Mann
Halstead Area Crime Prevention Panel	Cllr Kirby
Halstead Town Centre Strategy Panel	Cllr Mrs Beavis
	Cllr Mrs Sutton
	Cllr Mrs Pell
	Cllr Fincken
Home-Start Braintree & Witham	Cllr Mrs Galione
Joint Governance - Great Notley Country Park Partnership Board	Cllr Butland
Maltings Lane Forum	Cllr Elliott
	Cllr Mrs Money
	Cllr Mrs Thompson
Notley Green Community Association	Cllr Butland
Rivenhall Playing Field Association	Cllr Abbott
	Cllr Wright
Trinity House Hostel Project	Cllr Mrs Sutton
	Cllr Mrs Pell
Witham Age Concern	Cllr Mrs Howell
Witham Community Association (Executive Committee)	Cllr Mrs Howell
	Cllr Rose

Witham Park - Management Advisory Group	Cllr Mrs Money
Witham United Charities	Cllr Elliott
	Cllr Mrs Galione
	Cllr Mrs Howell
	Cllr Mrs Money
	Cllr Barlow

14 **ANNUAL TIMETABLE OF MEETINGS 2011/12**

DECISION: That the following Council and Annual General Meeting dates, as set out in the Timetable of Meetings 2011/12, be confirmed:

Ordinary Meetings of the Council - 27th June 2011, 19th September 2011, 7th November 2011, 12th December 2011, 15th February 2012 and 16th April 2012

. Annual General Meeting, 26th May 2012.

All meetings to start at 7.15pm.

The meeting commenced at 7.15pm and closed at 8.37pm.

Mrs J M Money
(Chairman)