

Minutes

Annual General

Meeting of the Council

21st May 2019



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J Abbott	Yes	Councillor Mrs J Pell	Yes
Councillor J Baugh	Yes	Councillor I Pritchard	Yes
Councillor Mrs J Beavis	Apologies	Councillor M Radley	Apologies
Councillor D Bebb	Apologies	Councillor R Ramage	Yes
Councillor K Bowers	Apologies	Councillor S Rehman	Yes
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor J Coleridge	Yes	Councillor B Rose	Yes
Councillor G Courtauld	Yes	Councillor Mrs J Sandum	Yes
Councillor Mrs M Cunningham	Yes	Councillor Miss V Santomauro	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Scattergood	Yes
Councillor Mrs C Dervish	Yes	Councillor Mrs W Schmitt	Yes
Councillor P Euesden	Yes	Councillor P Schwier	Yes
Councillor T Everard	Yes	Councillor Mrs G Spray	Yes
Councillor Mrs D Garrod	Yes	Councillor P Tattersley	Yes
Councillor A Hensman	Yes	Councillor P Thorogood	Yes
Councillor S Hicks	Yes	Councillor N Unsworth	Yes
Councillor P Horner	Yes	Councillor R van Dulken	Yes
Councillor D Hume	Yes	Councillor D Wallace	Yes
Councillor H Johnson	Yes	Councillor T Walsh	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs L Walters	Yes
Councillor D Mann	Yes	Councillor Miss M Weeks	Yes
Councillor T McArdle	Yes	Councillor Mrs S Wilson	Yes
Councillor J McKee	Yes	Councillor J Wrench	Yes
Councillor A Munday	Yes	Councillor B Wright	Yes
Councillor Mrs I Parker	Yes		

1 CHAIRMAN'S ADDRESS TO COUNCIL

INFORMATION: Councillor Miss V Santomauro stated that her year as Chairman had been a superb experience and that she had met some amazing people. Councillor Miss Santomauro highlighted the community groups and volunteers across the District and the opportunities which were available. Councillor Miss Santomauro stated that she had been pleased to meet many people throughout the community during the year and that she had been pleased to attend a number of events, some of which she highlighted in a short visual presentation at the meeting.

Councillor Miss Santomauro thanked friends, family, colleagues and officers for their support throughout the year and everyone who had raised money for her chosen charities. In particular, Councillor Miss Santomauro thanked the officers of the Civic Team and Emma Wisbey for their help and guidance.

2 PRESENTATION TO THE OUTGOING CHAIRMAN OF THE COUNCIL

INFORMATION: The Chief Executive thanked Councillor Miss V Santomauro, the outgoing Chairman, and presented her with a signed citation and past Chairman's badge denoting her Chairmanship and an album recording the events from her year in Office.

Councillors J Abbott, G Butland, D Mann and Mrs J Pell all commended Councillor Miss Santomauro on behalf of the Green and Independent Group, the Conservative Group, the Labour Group and Halstead Residents' Association for a very successful and busy year as Chairman of the Council and for her work and dedication.

3 ELECTION OF THE CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2019/20

DECISION: That Councillor Mrs A Kilmartin be elected as Chairman of the Council for the Civic Year 2019/20.

4 ELECTION OF THE VICE CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2019/20

DECISION: That Councillor Mrs S Wilson be elected as Vice Chairman of the Council for the Civic Year 2019/20.

5 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL

The Chairman indicated that the charities which she would be supporting in 2019/20 would be Witham Choral Society and Marie Curie.

There were no other announcements.

6 PRESENTATION BY THE CHAIRMAN OF CITATIONS OF SERVICE TO FORMER COUNCILLORS

The Chairman was pleased to present Citations of Service to former District Councillors, who had not returned to the Council following the District Council Election on 2nd May 2019, in recognition of their service and commitment to the people of the Braintree District.

Former District Councillors Mrs J Allen, M Banthorpe, J Elliott, J Goodman, S Kirby, G Maclure, Lady Newton and Miss M Thorogood attended the meeting to receive their Citations.

Former District Councillors P Barlow, Mrs L Bowers-Flint, S Canning, J Cunningham, M Dunn, R Mitchell, Mrs J Money, J O'Reilly-Cicconi and C Siddall were not present at the meeting, but their Citations of Service would be forwarded to them.

Councillors J Abbott, G Butland, D Mann and Mrs J Pell thanked the non-returning Councillors for their contributions to the Council and the District on behalf of the Green and Independent Group, the Conservative Group, the Labour Group and Halstead Residents' Association respectively. The former District Councillors who were present at the meeting expressed their appreciation to the Council also.

7 **MINUTES**

DECISION: That the Minutes of the meeting of full Council held on 25th March 2019 be approved as a correct record and signed by the Chairman.

8 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

9 **APPOINTMENT OF THE LEADER OF THE COUNCIL**

DECISION: That Councillor G Butland be appointed as Leader of the Council for the four year term of the Council ending in 2023.

10 **LEADER'S ANNOUNCEMENTS**

a) **Members of the Cabinet and Portfolio Areas**

INFORMATION: The Leader of the Council confirmed the following names and portfolio areas of the Members of the Cabinet, which were noted:-

Portfolio Area	Areas of Responsibility
Overall Vision and Strategic Direction: Councillor G Butland	Overall Vision and Strategic Direction Corporate Strategy North Essex Garden Communities Strategic Partnerships Strategic Economic Growth Promotion of the District External Relations Electoral Administration
Economic Development and Infrastructure: Councillor T Cunningham	Economic Development Strategies North Essex Economic Board & Regional Partnerships Town Centre Renewal Business Engagement & Support

	Employment Site/Enterprise Centre Strategy Inward Investment Skills & Education Improvement Infrastructure & Connectivity
Communities Culture & Tourism: Councillor F Ricci	Community Facilities and Support Local Community Engagement Community Transport Voluntary Sector Rural Communities External Funding Equality & Diversity Older People Children & Young People Heritage Services Tourism
Corporate Transformation: Councillor J McKee	Commercialisation and Income Generation Efficiency and Improvement Programme Strategic Investment Programme (including Investment Strategy) Asset Management Enterprise Centre Portfolio ICT & Digital Strategy Communications Risk Management
Environment & Place: Councillor Mrs W Schmitt	Waste Minimisation and Recycling Street Cleansing & Parks Landscapes & Countryside Parking & Highways Licensing Building Control Environmental Health Climate Change & Sustainability Community Safety Safeguarding Armed Forces Covenant Emergency Planning

Finance & Performance Management: Councillor D Bebb	Medium-Term Financial Strategy Financial & Treasury Management Performance Management Corporate Governance Customer Services Procurement Health & Safety Member Support & Development HR & Organisational Development
Health & Wellbeing: Councillor P Tattersley	Livewell Programme Health Improvement Emotional Health and Well-being Health Partnerships Leisure Centres Sports Development
Homes: Councillor K Bowers	Housing Strategy Housing Development Homelessness Affordable Housing Delivery Welfare Reform
Planning: Councillor Mrs G Spray	Local Plan Development Management Planning Enforcement Landscape Services

The Leader stated that he had appointed Councillor T Cunningham as Deputy Leader, in addition to his role as the Cabinet Member for Economic Development and Infrastructure. The Leader added that the Leaders of the Green and Independent Group, Halstead Residents Association and the Labour Group would continue to be invited to attend meetings of the Cabinet and to participate. The Leader encouraged other Members of the Council to attend Cabinet meetings also.

b) Leader's Scheme of Delegation for 2019/20 and Appointments to Cabinet Sub-Committees

INFORMATION: The Leader of the Council announced his Scheme of Delegation for 2019/20 and the appointment and Terms of Reference of Cabinet Sub-Committees as set out in the report attached to the Agenda, which was noted. The Sub-Committee appointments, including the Chairman/Vice Chairman and the Terms of Reference are summarised below. The Leader stated that other Groups, including a Developing Democracy Group, Member Development Group and specific groups supporting the Council's major projects would be established after the Annual General Meeting.

Local Plan Sub-Committee

Membership:-

Councillor D Bebb (Vice Chairman), Councillor K Bowers, Councillor G Butland, Councillor T Cunningham, Councillor T Everard, Councillor P Horner, Councillor D Hume, Councillor Mrs G Spray (Chairman), Councillor T Walsh, Councillor J Wrench

Terms of Reference:-

To be responsible for the development of the Local Plan to include:

Consideration of studies and reports.

1. Adoption of evidence to the formal evidence base in preparation for examination.
2. Consideration of draft Local Plan Documents and to make recommendations to Full Council as to their adoption.
3. To receive and to give consideration to responses to public consultations in relation to the Local Plan and to make recommendations to Full Council in relation to these.
4. Where relevant, to make recommendations to the Cabinet in respect of any corporate implications arising from the development of the Local Plan, including any recommendations for consideration in the budget setting process.

DECISION: That the appointments, Scheme of Delegation and Terms of Reference set out in the report be noted.

REASON FOR DECISION: To note the Leader's appointments to the Cabinet, his Scheme of Delegation and appointments to Cabinet Sub-Committees.

11 APPOINTMENTS TO COMMITTEES OF COUNCIL

INFORMATION: Consideration was given to a report on the appointment of Committees, Boards and Groups, their size and political balance.

It was reported that following the District Council Election on 2nd May 2019 the Council currently had four Political Groups and one unaligned Independent Member. Based on the membership of the Council, the allocation of seats on Committees to these Groups was Conservative Group - 34; Green and Independent Group - 8; Halstead Residents Association - 4; and Labour Group - 2.

It was proposed that the Council's scrutiny arrangements should be changed. Previously, the Council's Overview and Scrutiny Committee and the Governance Committee had held the Cabinet to account. The Overview and Scrutiny Committee had also routinely established Task and Finish Groups to supplement its work. Instead, four Scrutiny Committees would be established, namely the Performance Management Board; the Corporate Governance Group; the Community Development Group; and the Partnership Development Group. The Scrutiny Committees would hold the Cabinet to account and support the development of the Council's policy frameworks. Each Committee would establish their own programme of work, but their Terms of Reference would set key priorities. The Overview and Scrutiny Committee

and the Governance Committee would be removed from the Council's Committee structure, with the statutory elements of their work being picked up by the Performance Management Board and the Corporate Governance Group respectively. It was proposed that the Chairman of the Performance Management Board should be a representative of the largest Political Group in opposition. The Chairmen of the other Groups would be appointed in line with political proportions.

The Members' Allowance Scheme, as approved by full Council on 25th March 2019, would be amended to remove the references to the Chairman and Vice Chairman of the Overview and Scrutiny Committee and the Chairmen of Task and Finish Groups and the Governance Committee. These would be replaced by the Chairman of the Performance Management Board - Basic Allowance x1.5; the Vice Chairman of the Performance Management Board - Basic Allowance x0.75; the Chairmen of the Corporate Governance Group; Community Development Group; and the Partnership Development Group - Basic Allowance x1; and the Vice-Chairmen of the Corporate Governance Group; Community Development Group; and the Partnership Development Group - Basic Allowance x0.5.

In an amendment to the report, it was stated that the value of the allowance payable to the Chairman of the Performance Management Board was £7,389.

DECISION:

- (1) That the political balance requirements be noted.
- (2) That the proposed changes to the Council's scrutiny arrangements, as detailed in the report, be approved.
- (3) That the Head of Governance be authorised to amend the Council's Constitution to reflect the changes detailed in the report.
- (4) That the size of the individual Committees and Sub-Committees to be subject to proportional balance and the allocation of seats to Political Groups be agreed in accordance with the report.
- (5) That the appointments to Committees, Boards and Groups, and the appointment of Chairmen and Vice Chairmen, as set out below, be adopted:-

Planning Committee

(13 Members) – Conservative Group 9; Green and Independent Group 2; Halstead Residents Association 1; Labour Group 1

In an amendment to the report, it was stated that the allocation of seats on the Planning Committee to the Labour Group was 1, not 0.

Councillor J Abbott, Councillor K Bowers, Councillor T Cunningham, Councillor P Horner, Councillor H Johnson, Councillor D Mann, Councillor A Munday, Councillor Mrs I Parker (Vice Chairman), Councillor F Ricci, Councillor Mrs W Scattergood (Chairman), Councillor Mrs G Spray, Councillor N Unsworth and Councillor J Wrench

Licensing Committee

(13 Members) - Conservative Group 10; Green and Independent Group 2; Halstead Residents Association 1; Labour 0

Councillor J Baugh (Chairman), Councillor P Euesden, Councillor A Hensman, Councillor H Johnson, Councillor Mrs J Pell, Councillor R Ramage, Councillor S Rehman, Councillor B Rose (Vice Chairman), Councillor Mrs J Sandum, Councillor P Schwier, Councillor Mrs L Walters, Councillor Mrs S Wilson and Councillor B Wright

Performance Management Board

(9 Members) - Conservative Group 6; Green and Independent Group 1; Halstead Residents Association 1; Labour 1

Councillor J Coleridge, Councillor G Courtauld, Councillor Mrs C Dervish, Councillor T Everard, Councillor M Radley, Councillor S Rehman, Councillor B Rose, Councillor P Schwier (Vice Chairman) and Councillor N Unsworth (Chairman)

Corporate Governance Group

(9 Members) - Conservative Group 6; Green and Independent Group 1; Halstead Residents Association 1; Labour 1

Councillor P Euesden, Councillor D Hume, Councillor H Johnson (Vice Chairman), Councillor D Mann, Councillor Miss V Santomauro, Councillor R van Dulken (Chairman), Councillor D Wallace, Councillor T Walsh and Councillor Mrs L Walters

Community Development Group

(9 Members) - Conservative Group 6; Green and Independent Group 2; Halstead Residents Association 1; Labour 0

Councillor Mrs C Dervish, Councillor Mrs D Garrod (Chairman), Councillor A Hensman (Vice Chairman), Councillor Mrs I Parker, Councillor Mrs J Pell, Councillor Mrs L Walters, Councillor Miss M Weeks, Councillor Mrs S Wilson and Councillor B Wright

Partnership Development Group

(9 Members) - Conservative Group 6; Green and Independent Group 2; Halstead Residents Association 1; Labour 0

Councillor J Baugh, Councillor G Courtauld, Councillor Mrs M Cunningham (Chairman), Councillor T McArdle, Councillor Mrs J Pell, Councillor I Pritchard, Councillor R Ramage (Vice Chairman), Councillor Mrs J Sandum and Councillor P Thorogood

Standards Sub-Committee

(3 Members incorporating 3 Substitutes) - Conservative Group 4; Green and Independent Group 1; Halstead Residents Association 1; Labour 0
Panels and Chairman to be selected at the appropriate time.

Councillor Mrs M Cunningham, Councillor Mrs I Parker, Councillor Mrs J Pell, Councillor Miss V Santomauro, Councillor R van Dulken and Councillor T Walsh

Appeals Committee

(3 Members incorporating 3 Substitutes) - Conservative Group 4; Green and Independent Group 1; Halstead Residents Association 0; Labour 1
Panels and Chairman to be selected at the appropriate time.

Councillor Mrs D Garrod, Councillor S Hicks, Councillor D Mann, Councillor S Rehman, Councillor B Rose and Councillor Mrs S Wilson

- (6) That the Terms of Reference of the Performance Management Board; Corporate Governance Group; Community Development Group; and Partnership Development Group, as set out below, be approved:-

Performance Management Board

To act as the Council's principal Scrutiny Committee in respect of the scrutiny of performance, including:

- Performance monitoring
- Service performance and effective use of resources
- Customer feedback
- Scrutiny of the budget proposals
- To receive call-in requests and to determine the Board's response.

Corporate Governance Group

The Terms of Reference of the Group include:

- To ensure that the Council's corporate governance arrangements are adequate and operating effectively in practice
- To consider the Annual Governance Statement before approval by the Cabinet
- To monitor the effectiveness of the Council's risk management procedures, the internal control environment and counter fraud and corruption arrangements and report any concerns to the Cabinet
- To endorse the annual Risk Management Strategy and recommend it to the Cabinet for adoption
- To approve the Council's Statement of Accounts
- To consider any reports of internal or external auditors and agreeing the action to be taken from those reports including any recommendations to the Council
- To consider and make recommendations on the internal audit plan

- To consider a report on the effectiveness of the internal audit system at least annually
- To receive the external auditor's management letter and make recommendations arising from it
- Oversight of the Member Conduct framework for the Council and Parish Councils (as currently set out in Article 10 of the Constitution).

Community Development Group

The Terms of Reference of this Group include policy scrutiny relating to:

- Community priorities and solutions
- Engaging and identifying needs of other Groups
- Building relationships to ensure policies are developed to empower and not constrain
- Reputation management through promotion, delivery and communication
- Town and Parish Council shared working (identifying opportunities whilst establishing priorities).

Partnership Development Group

The Terms of Reference of the Group include:

- Driving forward existing partnerships
- Helping to bring partnership working into the Council's mainstream work
- Bringing together partners within the public sector for the benefit of the community
- Developing an approach to future partnership working with both the public and the private sector
- To receive the Annual Report of the Community Safety Partnership.

REASON FOR DECISION: To comply with legislation and to enable the Council to discharge its functions through Committees and Sub-Committees.

12 **APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES FOR THE CIVIC YEAR 2019/20**

INFORMATION: Consideration was given to a report on the proposed appointment of Council representatives to outside bodies for the Civic Year 2019/20, as set out in Appendix A to the report and summarised below.

In an amendment to the report, it was proposed that Councillor S Rehman be appointed as an additional representative to Braintree United Charities.

DECISION: That the following appointments of Council representatives to outside bodies be agreed:-

Outside Body:	Appointment/s:
Braintree District Access Group	Councillor A Hensman

Braintree District and Greenfields Community Grant Panel	Councillor R Ramage Councillor Mrs W Schmitt Councillor Mrs G Spray
Braintree United Charities	Councillor J Baugh Councillor T Everard Councillor S Rehman Councillor Miss V Santomauro Councillor Mrs L Walters
Campaign to Protect Rural Essex	Councillor P Schwier
Dedham Vale and Stour Valley Advisory Committee	Councillor Mrs D Garrod Councillor Mrs W Scattergood
Earls Colne Airfield Liaison Committee	Councillor G Courtauld
Earls Colne and Halstead Educational Charity	Councillor G Courtauld
Friends of Bocking Windmill	Councillor T Everard
Friends of Halstead Public Gardens	Councillor Mrs J Pell
Maltings Lane Forum	Councillor J Coleridge Councillor R Ramage
Notley Green Community Association	Councillor F Ricci
Rivenhall Playing Field Association	Councillor J Abbott Councillor B Wright
Witham United Charities	Councillor J Coleridge Councillor P Horner Councillor R Ramage Councillor B Rose Councillor Mrs S Wilson

REASON FOR DECISION: To enable full Council to discharge its functions in accordance with Article 4 of the Constitution.

13 **ANNUAL TIMETABLE OF MEETINGS 2019/20**

DECISION: That the following Council and Annual General Meeting dates, as set out in the Timetable of Meetings 2019/20, be confirmed:-

Ordinary Meetings of the Council

22nd July 2019

7th October 2019

16th December 2019

17th February 2020

Annual General Meeting

20th April 2020

All meetings to start at 7.15pm.

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

Councillor Mrs A Kilmartin
(Chairman)