

Minutes

Annual Meeting of the Council

25th April 2016



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 D Mann	Yes
Councillor Mrs J Allen	Yes	Councillor J McKee	Yes
Councillor C Bailey	Yes	Councillor R Mitchell	Yes
Councillor M Banthorpe	Apologies	Councillor Mrs J Money	Yes
Councillor J Baugh	Yes	Councillor Lady Newton	Yes
Councillor Mrs J Beavis	Apologies	Councillor J O'Reilly-Cicconi	Yes
Councillor D Bebb	Yes	Councillor Mrs I Parker	Yes
Councillor R Bolton	Yes	Councillor Mrs S Paul	Apologies
Councillor K Bowers	Yes	Councillor Mrs J Pell	Yes
Councillor Mrs L Bowers-Flint	Yes	Councillor R Ramage	Yes
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor S Canning	Yes	Councillor B Rose	Yes
Councillor J Cunningham	Yes	Councillor Miss V Santomauro	No
Councillor Mrs M Cunningham	Yes	Councillor Mrs W Scattergood	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Schmitt	Yes
Councillor M Dunn	Yes	Councillor P Schwier	Yes
Councillor J Elliott	Yes	Councillor C Siddall	Yes
Councillor J Goodman	Yes	Councillor Mrs G Spray	Yes
Councillor A Hensman	Yes	Councillor P Tattersley	Yes
Councillor P Horner	Yes	Councillor Miss M Thorogood	Yes
Councillor D Hufton-Rees	No	Councillor R van Dulken	Yes
Councillor D Hume	Yes	Councillor Mrs L Walters	Yes
Councillor H Johnson	Yes	Councillor Mrs S Wilson	Yes
Councillor Mrs A Kilmartin	Yes	Vacancy	
Councillor S Kirby	Yes		

The Chairman announced that the start of the meeting would be delayed until 7.30pm as some Councillors had been delayed in traffic.

1 CHAIRMAN'S CHARITIES 2015/16

The Chairman was pleased to present cheques to representatives of her nominated charities for the Civic Year 2015/16:

Essex Dementia Care
Young Carers (Crossroads)
Southview School, Witham

The Chairman thanked everyone who had helped to fund raise and who had donated money.

2 CHAIRMAN'S ADDRESS TO COUNCIL

INFORMATION: Councillor Mrs Walters stated that her year as Chairman had been very busy and that it had been a privilege to meet some very inspiring people many of whom were young people. The Chairman thanked her fellow Councillors, Nicola Beach and the Officers of the Civic Team for their support and help.

3 PRESENTATION TO THE OUTGOING CHAIRMAN

INFORMATION: The Chief Executive thanked Councillor Mrs Walters, the outgoing Chairman, and presented her with a signed citation denoting her past Chairmanship and an album recording the events from her year in Office.

Councillors Butland, Mann, Mrs Pell and Abbott all thanked Councillor Mrs Walters respectively on behalf of the Conservative, Labour, Halstead Residents' Association and Green Councillors for all her work as Chairman of the Council.

4 ELECTION OF CHAIRMAN FOR THE CIVIC YEAR 2016/17

DECISION: That Councillor F Ricci be elected as Chairman of the Council for the Civic Year 2016/17. Councillor Ricci gave an acceptance address to the Council and he announced that his chosen charities for 2016/17 would be Braintree, Halstead and Witham Home Start and Essex Search and Rescue.

5 APPOINTMENT OF VICE-CHAIRMAN FOR THE CIVIC YEAR 2016/17

DECISION: That Councillor S Kirby be appointed Vice-Chairman of the Council for the Civic Year 2016/17. Councillor Kirby gave an acceptance address to the Council.

6 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL

There were no announcements.

7 MINUTES

DECISION: That the Minutes of the meeting of the Council held on 18th April 2016 be approved as a correct record and signed by the Chairman.

8 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

9 **LEADER OF THE COUNCIL**

INFORMATION: It was noted that Councillor G Butland is the Leader of the Council, as appointed at the Council meeting of 28th May 2015 for the four year term of the Council.

10 **LEADER'S ANNOUNCEMENTS**

Members of the Cabinet, Portfolio Areas and Deputy Cabinet Members

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

OVERALL CORPORATE STRATEGY AND DIRECTION		
		<i>Portfolio Areas:</i>
Leader of the Council	Councillor Graham Butland	Overall Vision and Strategic Direction Strategic Partnerships Devolution Strategic Economic Growth Promotion of the District External Relations
ENVIRONMENT AND PLACE		
		<i>Portfolio Areas:</i>
Cabinet Member and Deputy Leader	Councillor Mrs Wendy Schmitt	Street Scene Maintenance & Management (street cleansing, markets, parks and open spaces, cemeteries, public conveniences and litter and fly-tipping enforcement) Waste Management (refuse, recycling and commercial waste) Highways Liaison and Car Parking Landscapes and Countryside Community Safety Emergency Planning Travellers Carbon and Energy Management to address Climate Change Public Protection Functions (licensing, environmental health and building control)
<i>Deputy Cabinet Member</i>	<i>Councillor Robert Mitchell</i>	

PLANNING AND HOUSING		
		Portfolio Areas:
Cabinet Member	Councillor Lady Newton	Local Plan Infrastructure, Planning and Development Development Management Planning Enforcement Affordable Housing Housing/Homelessness Welfare Reform
<i>Deputy Cabinet Member</i>	<i>Councillor Mrs Lynette Bowers-Flint</i>	
ECONOMIC DEVELOPMENT		
		Portfolio Areas:
Cabinet Member	Councillor Tom Cunningham	Economic Development Strategy Regeneration Business Engagement and Support Broadband Enterprise Centres Inward Investment Town Centres Apprenticeships Skills Education Improvement
HEALTH AND COMMUNITIES		
		Portfolio Areas:
Cabinet Member	Councillor Mrs Joanne Beavis	Health Improvement and Well-being External Funding Equality and Diversity Neighbourhood Budgeting Safeguarding Older People Children and Young People Voluntary sector Heritage Rural communities Local community engagement Member support and development
<i>Deputy Cabinet Member</i>	<i>Councillor Peter Tattersley</i>	<i>Community transport Leisure and Sport Community facilities and support</i>

FINANCE AND PERFORMANCE		
		<i>Portfolio Areas:</i>
Cabinet Member	Councillor David Bebb	Financial and Treasury Management Investment Strategy Revenue budget Capital programme Efficiency and Improvement Programme Income Generation Commercialisation Performance management
CORPORATE SERVICES AND ASSET MANAGEMENT		
		<i>Portfolio Areas:</i>
Cabinet Member	Councillor John McKee	Asset Management Information Technology Corporate Governance Communication Procurement Risk Management Health and Safety Customer Services HR and Organisational Development

The Leader stated that he had appointed Councillor Bill Rose to act as a Non-Voting Deputy Cabinet Member to support the work of Councillor Tom Cunningham, Portfolio Holder for Economic Development. Councillor Rose would be invited to attend meetings of Cabinet and to take part in debate, but he would not have the right to vote. Whilst Councillor Rose would be engaged in the work of the Cabinet and the Economic Development Portfolio, he would not be able to make formal decisions, or exercise any delegated authority.

Leader's Scheme of Delegation for 2016/17 and Appointments to Cabinet Sub-Committees

INFORMATION: The Leader of the Council announced his Scheme of Delegation for 2016/17 and the appointment and Terms of Reference of Cabinet Sub-Committees / Groups, as set out in a report attached to the Agenda, which were noted. The appointments to Sub-Committees / Groups and the appointment of the Chairman / Vice-Chairman of these is summarised below.

In an amendment to the report by Councillor Butland, it was proposed that the membership of the Member Development Group should include Councillor Mann and that the membership of the Grants Panel should include Councillors Abbott and Hume.

Local Plan Sub-Committee

Councillors Bebb, Mrs Bowers-Flint (Chairman), Butland, T Cunningham, Hume, Mrs Money, Lady Newton, O'Reilly-Cicconi, Mrs Scattergood (Vice-Chairman) and Miss Thorogood

Developing Democracy Group

Councillors Abbott, Mrs Beavis, Butland (Chairman), Mann, Mrs Pell, Siddall and Mrs Spray

Member Development Group

Councillors Mrs Beavis (Chairman), Bowers, Canning, Mann, Mrs Pell, Schwier, Mrs Spray and Mrs Wilson

Grants Panel

Councillors Abbott, Mrs Allen, Elliott, Hume, Mann, Mrs Parker, Ricci, Mrs Spray (Chairman) and Mrs Walters

11 **CONSEQUENTIAL AMENDMENTS IN RELATION TO THE LEADER'S SCHEME OF DELEGATION**

INFORMATION: Members were advised that in response to the Leader's announcement regarding Cabinet Member Portfolios, the Scheme of Delegation and appointments to Cabinet Sub-Committees some consequential amendments were required to the Council's Constitution. These were set out in the Agenda report.

In particular, it was proposed that the appointment of Councillor B Rose as a Non-Voting Deputy Portfolio Holder should qualify for the payment of a special responsibility allowance in line with existing Deputy Portfolio Holders. This was currently £4,635 per annum. The Members of the Independent Remuneration Panel had been consulted and had agreed that this proposal was appropriate and that it should be supported.

Following the decision to change the Mi Community Scheme to an individual Councillor-led scheme, the Leader had reviewed the name and Terms of Reference of the Mi Community Group. This would now be known as the Grants Panel. This would require a consequential amendment to the Member Allowances Scheme by changing the special responsibility allowance payment, currently £4,635, from the Chairman of the Mi Community Group to the Chairman of the Grants Panel.

DECISION:

- (1) That the creation of an additional Member's special responsibility allowance for a Non-Voting Deputy Portfolio Holder be approved.
- (2) That the amendments to the Constitution, as detailed in the body of the report, be adopted.

- (3) That the Head of Governance be authorised to incorporate the changes within the Constitution and to make such typographical amendments as are necessary to do this.

12 **APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES**

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

In an amendment to the report by the Leader Councillor Butland, it was proposed that the membership of the Overview and Scrutiny Committee should remain as 12 Members comprising 11 Conservative Councillors and one Labour Councillor and that Councillor Abbott's name should be removed from the proposed membership.

It was proposed that the membership of the Appeals Committee should be three Members (plus three substitutes) comprising one Conservative Councillor, one Labour Councillor and one Green Councillor and that Councillor Abbott should be a Member of the Committee and Councillor Tattersley a substitute Member.

Councillor Abbott spoke against the proposals.

DECISION:

- (1) That the political balance requirements be noted.
- (2) 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, as amended below.
- (3) That the appointments to Committees and Sub-Committees, as set out in Appendix A to the report and as summarised and amended below, be adopted.

Planning Committee

Councillors Bolton, Bowers, Mrs Bowers-Flint, Horner, Johnson, Kirby, Mann, Lady Newton, O'Reilly-Cicconi (Vice-Chairman), Mrs Parker, Mrs Scattergood (Chairman), Schwier and Mrs Spray.

Licensing Committee

Councillors Mrs Allen, Banthorpe (Chairman), Baugh (Vice-Chairman), Canning, Elliott, Goodman, Hensman, Johnson, Mrs Money, Mrs Pell, van Dulken, Mrs Walters and Mrs Wilson

Overview and Scrutiny Committee

Councillors Bailey, Canning, Mrs Cunningham, Goodman, Horner, Hufton-Rees, Mann (Vice-Chairman), Ramage, Ricci, Miss Santomauro, Schwier and Siddall (Chairman)

Governance Committee

Councillors Dunn, Elliott (Chairman), Goodman, Hufton-Rees, Miss Santomauro (Vice-Chairman), Miss Thorogood and van Dulken

Standards Sub-Committee

Councillor O'Reilly-Cicconi (Chairman), Mrs Pell and Mrs Wilson
Substitutes: Councillors Bolton, Kirby and Mann

Appeals Committee

Councillors Abbott, Mrs Kilmartin and Mann (Chairman to be appointed)
Substitutes: Councillors Rose, Tattersley and Vacancy

- (4) That the allocation of the Chairmanship of the Overview and Scrutiny Committee as being from the majority political group be approved and the convention that this appointment is an opposition Member, as stated in the Overview and Scrutiny Procedure Rules, be suspended for the current municipal year.
- (5) That the appointment of the Chairman and Vice-Chairman of Committees and Sub-Committees, as set out in Appendix B to the report and summarised above, be adopted.

13 **INDEPENDENT REMUNERATION PANEL - MEMBERSHIP**

DECISION: That the current membership of the Independent Remuneration Panel comprising F Coulson, D Dyson and D Johnson, and that the Panel may comprise up to five independent Members, be noted.

14 **INDEPENDENT PERSONS**

DECISION: That, further to the Localism Act 2011, it be noted that A French and K Stubbings are the Council's Independent Persons.

15 **APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES FOR THE CIVIC YEAR 2016/17**

INFORMATION: Consideration was given to a report on the proposed appointment of Council representatives to outside bodies for the Civic Year 2016/17, as set out in Appendix A to the report and summarised below.

It was reported that the appointment to Braintree College – Colchester Institute's Board had ceased during the last municipal year due to changes in the organisation of the Board. Whilst the appointment of a representative was no longer required, contact and communication between The Institute and the Council continued over a wide range of issues.

In an amendment to the report, it was proposed that Councillor Lady Newton be appointed to the Greenfields Community Housing Board from the Annual General Meeting (25th April 2016) rather than from 17th July 2016.

DECISION:

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

Braintree and Bocking Community Association

Councillors Baugh and Ramage

Braintree District Access Group

Councillors Lady Newton and Mrs Bowers-Flint (as Deputy)

Braintree District and Greenfields Community Grant Panel

Councillors Goodman, Mrs Schmitt and Mrs Spray

Braintree United Charities

Councillors Baugh, Mrs Paul, Miss Santomauro and Mrs Walters and Mr MacNee (as Community Representative)

Campaign to Protect Rural Essex

Councillor Schwier

Dedham Vale and Stour Valley Advisory Committee

Councillors Bolton and Mrs Scattergood

Earls Colne Airfield Liaison Committee

Councillor Mrs Spray

Earls Colne and Halstead Educational Charity

Councillor Siddall

Friends of Bocking Windmill

Mr Everard (as Community Representative)

Friends of Halstead Public Gardens

Councillor Mrs Pell and Mrs Sutton (as Community Representative)

Greenfields Community Housing Board (GCHB)

To 17th July 2016: Councillors Banthorpe and Mann

From 25th April 2016: Councillor Lady Newton

From 17th July 2016: Councillors Mrs Bowers-Flint and Miss Thorogood

Maltings Lane Forum

Councillors Mrs Money and the successful candidate in the current by-election for the Witham South Ward

Notley Green Community Association

Councillor Ricci

Rivenhall Playing Field Association

Councillors Abbott and Bowers

16 **ANNUAL TIMETABLE OF MEETINGS 2016/17**

DECISION: That the following Council and Annual General Meeting dates, as set out in the Timetable of Meetings 2016/17, be confirmed:

Ordinary Meetings of the Council

27th June 2016

5th September 2016

17th October 2016

12th December 2016

22nd February 2017

27th March 2017

Special Meetings of the Council for the Local Plan

20th June 2016

28th November 2016

Annual General Meeting

24th April 2017

All meetings to start at 7.15pm.

The meeting commenced at 7.30pm and closed at 8.26pm.

Councillor F Ricci
(Chairman)