

Minutes

Council Meeting



7th June 2021

These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available for six months 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	Yes	Councillor M Radley	Yes
Councillor K Bowers	Yes	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	Apologies	Councillor Miss V Santomauro	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Scattergood	Apologies
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 (Vice-Chairman)	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	Apologies
Councillor H Johnson	Yes	Councillor T Walsh	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs L Walters	Yes
Councillor W Korsinah	Yes	Councillor Miss M Weeks	Yes
Councillor D Mann	Yes	Councillor D White	Yes
Councillor T McArdle	Yes	Councillor Mrs S Wilson (Chairman)	Yes
Councillor J McKee	Yes	Councillor J Wrench	Yes
Councillor A Munday	Yes	Councillor B Wright	Yes
Councillor Mrs I Parker	Yes		

This meeting of Full Council was a non-decision making meeting which had been called to enable Members of the Council to discuss the matters listed on the Agenda. There were no decisions taken at the meeting; consequently, these Minutes contain no record of decisions. Decisions relating to the Agenda were taken by the Chief Executive following the meeting and recorded in a separate record of decision.

16 **MINUTES**

DECISION: The Minutes of the Annual General Meeting of Full Council on 19th April 2021 were approved as a correct record.

17 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor Mrs J Beavis declared a Non-Pecuniary Interest in Agenda Item 10, 'Cabinet Report to Full Council,' as a member of the Earls Colne to Kelvedon (EC2K) cycleway project and the separate group for Halstead.

Councillor G Butland declared a Non-Pecuniary Interest as an Elected Member at Essex County Council (ECC).

Councillor T Cunningham declared a Non-Pecuniary Interest as an Elected Member at ECC.

Councillor A Hensman declared a Non-Pecuniary Interest in Agenda Item 5, 'To receive any announcements/statements from the Chairman and/or Leader of the Council,' as a member of Colne Valley Railway Preservation Limited, of the Chairman's chosen charities.

Councillor P Schwier declared a Non-Pecuniary Interest as an Elected Member at ECC.

Councillor P Thorogood declared a Non-Pecuniary Interest as an Elected Member at ECC.

Councillor N Unsworth declared a Non-Pecuniary Interest in Agenda Item 10, 'Cabinet Report to Full Council,' as a non-executive member of the EC2K project.

Councillor T Walsh declared a Non-Pecuniary Interest in Agenda Item 10, 'Cabinet Report to Full Council,' as a non-executive member of the EC2K project and Coggeshall Neighbourhood Plan Group.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the debate and decision when the Items were considered.

18 **QUESTION TIME**

INFORMATION: There were no questions asked, or statements made.

19 **TO RECEIVE ANY ANNOUNCEMENTS/STATEMENTS FROM THE CHAIRMAN AND/OR LEADER OF THE COUNCIL**

The Chairman's announcements covered the following:

It was with great sadness that the Chairman advised of the death of a former colleague, Malcolm Allard. Mr Allard was first elected in 1983 and served continuously until 2003, representing Labour for Bocking North Ward. Mr Allard was Vice-Chairman of the Council in 1996/97, and later Chairman of the Council in 1997/98. He was also Chairman of the Environmental Services Committee from 1991 until 1996, and the Council's representative for Braintree and District Society for Mentally Handicapped (MENCAP), as well as for Bocking Windmill. The funeral was to be held on Wednesday 23rd June 2021 at 12.30pm at the Three Counties Crematorium, and had been planned by Malcolm's family to be within the current Covid limits. Donations could be made to MENCAP via Janet Davies Funeral Director.

On behalf of the Council, the Chairman formally expressed her sincere condolences to Malcolm's family.

Further to the two By-Elections on 6th May 2021, the Chairman was pleased to welcome Councillor William Korsinah and Councillor Darren White to the Council and to their first meeting of Full Council. Councillor Korsinah represented the Ward of Witham South, and Councillor Darren White represented the Ward of Hatfield Peverel and Terling.

Following the Annual General Meeting on 19th April 2021, the charities that the Chairman had chosen to support during the Civic Year were Colne Valley Railway Preservation Limited, Friends of the Flich Way and Home-Start Essex.

Councillor G Butland, Leader of the Council, had no announcements to make.

20 **BRAINTREE PUBLIC REALM PROJECT – PUBLIC REPORT**

INFORMATION: The Chairman reminded Members that there was a Confidential Appendix attached with the report. Generally, the Council sought to operate in open and transparent way with as much information as possible within the public realm. For a number of reasons, in this case the Council's commercial interests, it was important that key elements of information were kept confidential.

The Chairman then invited Councillor T Cunningham, Deputy Leader and Cabinet Member for Economic Development, to introduce the report. A power point presentation was subsequently provided for Members that included details of the progress of the project thus far and the intended next steps.

It was reported that on 14th April 2020, Braintree District Council (the Council) commenced the procurement of a contractor to undertake the Braintree Town Centre Public Realm Works (the Works). That process was completed, and on 14th July 2020 Marlborough Highways Ltd (MHL) was awarded the Contract for Lot 2. Works then commenced under Lot 2 on site on 21st September 2020. The Contract for Lot 2 works set out that the completion of the Works would be conducted through sectional completion assigned to specific areas of the town centre, with all sections due to be completed by 16th December 2020. In February 2021, it was decided to complete the remaining Works via a new contractor. Accordingly, the Council undertook a range of procurement activities to secure the appropriate contractors. Following contract awards, the Works on site were now progressing at pace. However, due to the change of contractor, there had also been some delay in the Council and its contractors being able to obtain the materials necessary for the completion of the Works. This had further

delayed the final completion date of the Works until August 2021 and, as a result of the delay, the Council had incurred additional fees.

Further to the conclusion of the report, Members were invited to ask their questions of the Deputy Leader. Members were reminded that should they wish to refer to the private information contained within the Confidential Appendix during the debate, it would be necessary for the meeting to be moved into Private Session under Paragraph 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information.

It was necessary for the debate to be moved into Private Session.

Before concluding the item, Councillor Mrs Wilson, Chairman of the Council, reminded Members that the report was for noting only.

21 **RESPONSE FROM CABINET TO THE SCRUTINY REVIEW INTO LEISURE PROVISION AND ACCESS TO SPORT IN THE DISTRICT 2021**

INFORMATION: Councillor P Tattersley, Cabinet Member for Health and Wellbeing, was invited to introduce the Cabinet's response, including recommendations, to the Scrutiny Review undertaken by the Partnership Development Scrutiny Committee (PDSC) into leisure provision and access to sport in the Braintree District.

Councillor Tattersley was pleased with the report of the PDSC and the number of stakeholders who contributed towards the evidence and eventual outcomes of the Scrutiny Review. Cabinet had considered the recommendations of the Review in the context of the Council's 'Livewell' and 'Bewell' strategies, the strategies of which had been due for review in 2021; however, due to the impacts of the Covid-19 pandemic, the review had been delayed. Both strategies had been included within the report for information and to enable Members to observe how the report of the Scrutiny Review and content of the strategies complemented each other. It was noted that Appendix 4 to the report also included an action plan with target dates.

Members were informed that Cabinet had expressed its support for each of the 7 recommendations from the PDSC, and three of these in particular were highlighted; the first was Recommendation 1, due to its reference to Planning Policy, which coincided with the announcement from the Government of a new commercial use class 'E.' Change of use within the 'E' category would not require planning permission, allowing sports provision in commercial premises.

Attention was also drawn to Recommendation 2, which was in relation to the District's schools participation in the 'Daily Mile' scheme. Members were advised that since the publication of the report, the Braintree District now had 29 of its 53 primary schools (55%) engaging with the Daily Mile or similar projects, such as the Golden Mile. Essex County Council (ECC) had also now appointed a dedicated Officer responsible for the delivery of Daily Mile activities in schools. Although the Council were not able to require schools to participate in the Daily Mile project, the Council's Livewell Child Officer would support and encourage this locally across all the Infant and Primary schools within the District, and support the role of the ECC Officer.

Lastly, Recommendation 7 was also highlighted and as it focused on effective means of communication for wider groups of people on the subject of leisure provision. As the

Scrutiny Review progressed, it became increasingly apparent that many Parish Councils and voluntary groups were not aware of the extent of the sporting facilities that were available to them across the District; as such, the recommendation would help towards addressing this.

Further to the report, Members were invited to ask their questions of the Cabinet Member. Councillor G Courtauld, Vice-Chairman of the PDSC, supported the comments made by Councillor Tattersley and also welcomed the announcement made the Government in respect of change of use in the 'E' category, and also the positive news that a significant number of Infant and Primary schools were now participating in the Daily Mile and Golden Mile schemes. It was noted that walking was an activity of particular interest for older members of the population, and that there had been concern over how information relating to walking groups could be accessed; Councillor Courtauld was therefore pleased to see that this was also being addressed by organisations such as Community 360 and volunteers. Furthermore, it was positive to note that work was being carried out to improve communication with wider groups of people across the District as to the sport and leisure activities available in local areas, particularly in more rural settings.

Before concluding the item, Councillor Mrs Wilson, Chairman of the Council, reminded Members that the report was for noting only.

22 **RESPONSE FROM CABINET TO THE SCRUTINY REVIEW INTO THE CHILDHOOD VACCINATIONS PROGRAMME IN THE DISTRICT (2019)**

INFORMATION: Councillor P Tattersley, Cabinet Member for Health and Wellbeing, was invited to introduce the Cabinet's response, including recommendations, to the Scrutiny Review undertaken by the Community Development Scrutiny Committee (CDSC) into childhood vaccinations.

Councillor Tattersley expressed that he was pleased by the report and noted the enthusiasm of Members of the CDSC in conducting their Scrutiny Review into the topic. Councillor Tattersley was also pleased that the conclusions drawn from the Review were supported by the evidence provided by a number of the Council's partners, which included Dr Mike Gogarty, Director of Public Health, as well as the clinical leads and officers of NHS England (East of England). It was noted that the Scrutiny Review had been undertaken prior to the emergence of the Covid-19 pandemic and the successful rollout of the vaccination programme that followed; however, the report could not be considered in isolation to this. As such, Councillor Tattersley was pleased to announce that the Council had provided its sport facilities and the town hall centre to act as childhood vaccination centres during the second lockdown period in order to lessen the burden on other venues for the larger scale vaccination programme. The Council would continue to support the childhood vaccination programme wherever possible and contribute towards any future reviews in regard to the Covid-19 vaccination rollout as the pandemic subsided.

Further to the report, Members were invited to ask their questions of the Cabinet Member. Councillor Mrs Garrod, Chairman of the CDSC, added that the Scrutiny Review into childhood vaccinations commenced in 2019 in response to a national movement to increase the uptake of childhood vaccinations, particularly for diseases such as Measles and Rubella. Councillor Mrs Garrod was delighted that the evidence gathered as part of the Review indicated that the vaccination uptake in the Braintree

District was in alignment with rates for mid-Essex, and were also slightly above that of the national average. The Committee therefore had no recommendations to make, and Councillor Mrs Garrod thanked the Cabinet Member for his comments, as well as the proposed “Next Steps” stated as part of his response.

Before concluding the item, Councillor Mrs Wilson, Chairman of the Council, reminded Members that the report was for noting only.

23 **RESPONSE FROM CABINET TO THE SCRUTINY REVIEW INTO COMMUNITY WOODLANDS**

INFORMATION: Councillor Mrs W Schmitt, Cabinet Member for the Environment, was invited to introduce the Cabinet’s response, including recommendations, to the Scrutiny Review undertaken by the Community Development Scrutiny Committee (CDSC) on the subject of community woodlands.

Councillor Mrs Schmitt thanked the Chairman of the Committee, Councillor Mrs Garrod, along with its Members for their hard work throughout the duration of the Scrutiny Review. Gratitude was also extended to those individuals who collated the information gathered and the witnesses who attended the meetings in order to provide evidence, information and presentations which helped support the findings of the Review and demonstrated the enthusiasm for the subject.

In respect of Recommendation 1, Councillor Mrs Schmitt commented on the huge number of trees already planted by the Council which had been her delight to witness. However, it was acknowledged that not all residents within the District were in support of new tree planting as they found trees to be nuisances, particularly during seasonal changes such as the autumn. Although the exact number of trees planted over the years was not available, Members were informed that the Council was currently conducting an audit on the District’s open spaces, which could also assist with identifying issues such as ailing trees.

With regard to Recommendation 4, Councillor Mrs Schmitt had requested that new information around the subject be explored as well; for example, the use of new ‘biodegradable tree guards’ and other similar environmental measures, as opposed to traditional tree ties and tree guards.

With regard to Recommendations 3, 5 and 12, Councillor Mrs Schmitt stressed that it was not always easy to obtain land for the provision of community woodlands. This was often due to the hesitancy of landowners who intended to use such land for their own endeavours; for example, growing and supplying food. The accessibility of land was also a key factor in determining whether it could potentially be used to provide a community woodland, and this was required were it to function as such an asset.

In respect of Recommendation 13, it was again emphasised that not all residents across the District supported the influx of trees or understood their benefits in the same way that others did. It was noted within the response from the Cabinet Member that any improvements for residential access to community woodlands should be “carefully balanced” in order to ensure that existing woodlands were not damaged; for example, through the installation of new paths which could be harmful to existing habitats. Councillor Mrs Schmitt stressed the importance of educating the general public about how to both enjoy and respect such areas.

Further to the report, Members were invited to ask their questions of the Cabinet Member. During the debate, Councillor Mrs Garrod, Chairman of the CDSC, explained that the Council was responsible for approximately 15 woodland sites that the Committee had explored in full as part of their Scrutiny Review. Councillor Mrs Garrod was particularly pleased with Recommendation 4 around the exploration of the “biodegradable tree guards,” although she would like to see this noted as part of the “Next Steps” section of the report as well. Councillor Mrs Garrod indicated that she would also like to have seen guidance included within the recommendations for Parish and Town Councils to help alleviate concerns around the cost and maintenance of trees. Overall, Councillor Mrs Garrod was pleased with the outcome of the Scrutiny Review and the Cabinet Member’s response.

Before concluding the item, Councillor Mrs Wilson, Chairman of the Council, reminded Members that the report was for noting only.

24 **CABINET REPORT TO FULL COUNCIL**

INFORMATION: The Chairman invited the Leader to introduce the Cabinet Report to Council. Following this, the Chairman invited Members to ask their questions. Questions were not limited to the content of the reports and could be about matters relating to a portfolio, the powers and duties of the Council, or the District.

Councillor Mrs W Schmitt, Cabinet Member for the Environment advised Members that they would shortly receive a copy of two Government consultations as part of its Waste Strategy; one was in relation to the bottle deposit scheme and the other regarded packaging. It was hoped that Members would receive their copies within the next day or so. A further consultation would also follow at a later date entitled ‘Consistency in Household and Business Recycling.’ It was added that members of the public would be allowed to participate in the consultations as individuals, in addition to the Council’s own comments. In respect of the two consultations on cycling and climate change, Councillor Mrs Schmitt encouraged Members to comment if they so wished as part of the wider engagement process, and to do so in advance of the Extraordinary Meeting of Full Council in September 2021, at which time the responses will be considered.

Councillor Mrs Schmitt also commented on the successful opening the new play area at Halstead Public Gardens on Friday, 4th June. Councillor Mrs Schmitt attended the event along with Councillor Mrs Pell, Councillor Radley and Councillor Mrs Wilson. The new play area was specifically designed to be suitable for children with disabilities as well as those without, and gratitude was expressed towards Halstead in Bloom who helped fund the facility.

Councillor K Bowers, Cabinet Member for Housing, Assets and Skills, updated Members that as of May 2021, there were 23 affordable housing completions on sites in Braintree, Witham, Halstead, Earls Colne and Hatfield Peverel, which brought the total number of housing completions for the year thus far to 72. It was anticipated that there would be approximately 50 further completions in June. With the buoyancy of the housing market, the Council remained confident that the Annual Plan target of 250 housing completions for the year would be exceeded. It was currently anticipated that the outturn figure for the year would be in excess of 300 homes; the programme would continue to be monitored and Members would be updated should the situation change.

Members then asked several questions arising from the report. A webcast of the questions to and responses of Cabinet Members is available on the Council's Youtube channel at <https://www.braintree.gov.uk/youtube>

The main topics were as follows:-

- Councillor Abbott queried when discussions around Local Government reorganisation in Essex would resume, and asked whether other Councillors would be consulted on any plans for Unitary Authorities and when this would occur.
- Councillor Abbott commented on the difficulties with navigating multiple webpages to obtain Councillor related information on the Council's website further to its update, and questioned why it was done in this way.
- Councillor Abbott raised a question in respect of the Silver End Conservation Area Guide and asked if it would be possible to receive a timetable which set out the next steps and how long it would take to secure an updated Guide, given that the current one was 22 years old.
- Councillor Mrs Beavis asked what further steps could be taken by the Council to help combat the issue of litter across the District and to work with local businesses who used plastic and unnecessary packaging, particularly during the time of the pandemic when littering seemed to have increased.
- Councillor Cunningham sought agreement from the Cabinet Member for the Environment that the Conservative Party's national policy of trebling tree planting, and their legally binding target towards combating species decline were excellent, and that when it came to this particular agenda, only the current Government could deliver.
- Councillor Mrs Dervish welcomed the new legislation in respect of domestic abuse and looked forward to its adoption by the Council, adding that she hoped further revenue grants would be received in future.
- Councillor Euesden was pleased by the number of affordable housing completions for the year thus far and asked how these were distributed across the District. Councillor Euesden also requested similar information about the new affordable homes to be delivered in 2021.
- Councillor Mrs Garrod was pleased by the continuation of the Councillor Community Grant Scheme for the current year and requested examples of the types of projects that might be acceptable, given the emphasis on supporting Covid recovery.
- Councillor Hicks praised the extension of the grass verge cutting policy and asked a separate question of the Cabinet Member for the Environment as to what the 'all party' process would be for amending and improving the climate change and cycling strategies following residents' responses to the consultation.
- Councillor Mrs Parker queried what steps the Council was undertaking in order to build confidence in local residents as lockdown restrictions eased, especially to help

support retailers, and whether there were any plans in place to monitor footfall across the District and thus establish whether confidence was returning.

- Councillor Rehman wished to congratulate the Cabinet Member and officers who worked within the portfolio of Finance and Corporate Transformation for their tremendous work in the continued delivery of high quality and exceptional customer service for the year.
- Councillor Schwier raised two questions in respect of renewable energy; the first related to the likely use of solar power in any future energy generation, and the second asked whether the Council had any solar farm supplementary planning documentation to provide guidance to those submitting such applications.
- Councillor Thorogood raised two questions; the first was in relation to the Member's Forum and the confusion expressed by Parish Councils over the exact proposals for the Forum. Detail was subsequently requested as to how and when Council Members would be consulted, along with confirmation as to the official start date for the Forum. The second question related to the upcoming examination of Section 2 of the Local Plan and the Cabinet Member's view as to whether the Local Plan process would need to begin again should the Government's proposed changes to the planning system occur.
- Councillor Unsworth asked whether the Cabinet Member for Planning and Infrastructure was confident that planning enforcement issues raised were being fully investigated with updates provided.
- Councillor Walsh raised a question in regard to comments that had been made in respect of the Government appointed Local Plan Inspector's refusal to grant permission for the garden communities proposed for the East and West of Braintree, and whether the Leader and Deputy Leader of the Council would have made similar comments at a later stage, had these proposals been approved.
- Councillor Mrs Walters asked whether it was the Council's intention to replace the two benches that were previously situated outside the Natwest Bank in the Braintree High Street, as these had had a positive social impact for local residents.
- Councillor Miss Weeks questioned whether the Council would maintain its commitment towards improvements at the Little Elms shopping area in Witham, and whether the Council had given consideration towards a surgery in the area to help serve the increasing populations of North Witham and Rivenhall.
- Councillor Wrench was pleased by the news of the five year housing land supply, and questioned whether this would enable officers and Members of the Planning Committee to refuse planning permissions for speculative development on unallocated and less sustainable sites more easily. It was also asked what actions the Council could implement in order to ensure that this approach continued.
- Councillor Wright requested details as to the amount that had been accrued in respect of the Silver End Surgery from the developer's contribution, and asked what plans there were for an upgrade to the surgery due to the steadily rising local population.

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

- Councillor J McKee, Cabinet Member for Finance and Corporate Transformation, agreed to speak with ICT officers in response to Councillor Abbott's question regarding the update to the Council's website, and Cherie Root, Corporate Director agreed to assist with this. A written response would subsequently be provided.
- Councillor Mrs G Spray, Cabinet Member for Planning and Infrastructure, agreed to speak to officers about a timetable for the Silver End Conservation Area Guide and report back to Councillor Abbott.
- Councillor P Tattersley, Cabinet Member for Health and Wellbeing, agreed with Councillor Mrs Walters that the two town centre benches had been a positive initiative and said that he would speak with officers and also with Councillor F Ricci, Cabinet Member for Communities, about the issue.
- Councillor Mrs G Spray, Cabinet Member for Planning and Infrastructure, agreed to provide a written response to Councillor Wright further to his question regarding Silver End Surgery.
- Councillor Mrs G Spray, Cabinet Member for Planning and Infrastructure, agreed to speak with the relevant officers and provide a written response to Councillor Miss Weeks.
- Councillor Mrs G Spray, Cabinet Member for Planning and Infrastructure, advised Councillor Schwier that she would speak with the relevant officers further to his question about the future use of solar energy and supplementary planning documents for any new applications.

Before concluding this item, the Chairman advised any remaining Members who wished to ask their questions of the Cabinet Members to submit them in writing to the Governance and Members Team. Officers would then process any questions received in accordance with the Written Question procedure.

During the course of the meeting discussions, a motion to suspend standing order to extend the duration of the meeting beyond 3 hours, was defeated. The remaining Item on the Agenda, 'Extraordinary Meeting of Full Council – 20th September 2021,' would be transacted at the next meeting of Full Council on 26th July 2021.

During the course of the meeting proceedings, Members also collectively agreed to a temporary recess from 8.37pm (following the end of Agenda Item 7) to 8.45pm (just before the start of Agenda Item 8).

The meeting commenced at 7.15pm and closed at 10.15pm.

Councillor Mrs S Wilson
(Chairman)