

Minutes

Council Meeting



22nd July 2019

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 D Bebb	Yes	Councillor R Ramage	Yes
Councillor K Bowers	Apologies	Councillor S Rehman	Yes
Councillor G Butland	Yes	Councillor F Ricci	Apologies
Councillor J Coleridge	Yes	Councillor B Rose	Yes
Councillor G Courtauld	Apologies	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 (Chairman)	Yes	Councillor Mrs L Walters	Yes
Councillor D Mann	Yes	Councillor Miss M Weeks	Yes
Councillor T McArdle	Yes	Councillor Mrs S Wilson (Vice-Chairman)	Yes
Councillor J McKee	Yes	Councillor J Wrench	Yes
Councillor A Munday	Yes	Councillor B Wright	Yes
Councillor Mrs I Parker	Yes		

14 **MINUTES**

DECISION: That the Minutes of the Annual General Meeting held on 21st May 2019 be approved as a correct record and signed by the Chairman.

15 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor J Abbott declared a Non-Pecuniary Interest in Agenda Item 11, "Motion by Councillor J Abbott – Libraries," as he was an Elected Member of Essex County Council.

Councillor J Abbott declared a Non-Pecuniary Interest also in Agenda Item 17, "Recommendation from Cabinet – 8th July 2019 – Disposal of Land at Horizon 120, Great Notley, PUBLIC," as he was a member of the Horizon 120 Working Group. Councillor Abbott added that he would not vote on this Item, as he was also a member of the Planning Committee.

Councillor Mrs J Beavis declared a Non-Pecuniary Interest in Agenda Item 11, "Motion by Councillor J Abbott – Libraries," as she was an Elected Member of Essex County Council.

Councillor G Butland declared a Non-Pecuniary Interest in Agenda Item 11, "Motion by Councillor J Abbott – Libraries," as he was an Elected Member of Essex County Council.

Councillor G Butland also declared a Non-Pecuniary Interest in Agenda Item 12, "Motion by Councillor J Abbott – Local Plan," as he was a non-remunerated Director of North Essex Garden Communities (NEGC) Ltd.

Councillor S Hicks declared a Non-Pecuniary Interest in Agenda Item 17, "Recommendation from Cabinet – 8th July 2019 – Disposal of Land at Horizon 120, Great Notley, PUBLIC," as he was in liaison with a company who would be located at the site once it was completed.

Councillor Mrs W Scattergood declared a Substantive Interest in Agenda Item 12, "Motion by Councillor J Abbott – Local Plan," as her property could potentially be affected by the West Tey Garden Community development. Councillor Mrs Scattergood added that members of her family had also sent an objection to Colchester Borough Council. In accordance with the Code of Conduct, Councillor Mrs Scattergood left the meeting during the consideration of this Item.

Councillor Mrs W Schmitt declared a Non-Pecuniary Interest in Agenda Item 11, "Motion by Councillor J Abbott – Libraries," as she was an Elected Member of Essex County Council.

Councillor Mrs G Spray declared a Non-Pecuniary Interest in Agenda Item 12, "Motion by Councillor J Abbott – Local Plan," as she was a non-remunerated Director of North Essex Garden Communities (NEGC) Ltd.

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

16 **QUESTION TIME**

INFORMATION: There was one statement made by Mr Tom Foster, Chairman of Campaign Against Urban Sprawl in Essex (CAUSE). The statement related primarily to Mr Foster's support of Item 12 on the Agenda "Motion by Councillor J Abbott – Local Plan." Questions were also posed to the Leader of the Council regarding the estimated amount of Government funding required for the three Garden Communities, confirmation as to when the Council expected to obtain the funding and, if successful, whether the Housing Infrastructure Fund (HIF) would be a grant, or a loan.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

17 **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcements covered the following:

The Queen's Birthday Honours

The Chairman was pleased to report that Mr Stanley Francis Davies had been awarded the BEM (Medal of the Order of the British Empire) for his services to the community.

Visit from the Mayor of Braintree, Massachusetts

The Chairman expressed her delight at the visit that the Mayor of Braintree, Massachusetts, Mr Joseph Sullivan, had paid to Braintree on 25th June 2019. The Chairman was able to welcome Mr Sullivan and his wife Barbara and together they visited some prominent places in the Braintree District. It was added that Councillor Mrs Wilson and Councillor Butland were also able to join them for the visit, which included a tour of the Town Hall, Braintree District Museum, Warner Archive and afternoon tea at Crossing Temple Barns.

Armed Forces Day

The Chairman was proud to have raised the Armed Forces Day flag on behalf of the Council on 29th June 2019 at Causeway House, Braintree. The event had been well supported with over 60 people in attendance, which included Deputy Lord Lieutenant, Colonel (retired) Jacqueline Allan, Councillor Munday, Town Mayor of Halstead and Councillor Lager, Town Mayor of Witham and representatives from various military organisations. The Chairman expressed her thanks to all mentioned for joining her at the event.

Grand Final of the Jack Petchey 'Speak Out' Challenge 2019

The Chairman was pleased to announce that one of the District's young students, Rumbidzai Kawome from New Rickstones Academy, Witham, had achieved third place at the Grand Final of the awards.

The Leader had no announcements to make, but responded to comments made by the registered speaker during Public Question Time.

18 **LONG SERVICE AWARD – PHILLIP KELLY**

INFORMATION: The Chairman was pleased to present the Long Service Award to Mr Phillip Kelly, Community Transport Co-Ordinator at the Council, for his 30 years' service to the organisation.

The Chairman made reference to Mr Kelly's earlier years of employment as a Maintenance Fitter at the Council, starting in 1989, and his later transition to Fleet Technician and Fleet Supervisor at the Springwood Drive Depot. On 13th February 2012, Mr Kelly became a Community Transport Operative which involved him driving mini-buses in addition to being a MiDAS driver assessor/trainer.

The Chairman then invited Mr Kelly to receive his award and to say a few words, during which he expressed his thanks to Members and commended the Community Transport team in respect of the valuable service it continued to provide to members of the public.

19 **PFCC COMMUNITY SAFETY HERO AWARDS FINALISTS**

INFORMATION: The Chairman invited Councillor Mrs Schmitt to present Members with the finalists of the Essex Police, Fire and Crime Commissioners' Community Safety Hero Awards.

Councillor Mrs Schmitt made special mention of Mr Ryan Watkins of Braintree Mencap, who she was delighted to discover had been shortlisted as a finalist in the Community Safety Hero Awards 2019 for the role he played in the Keep Safe scheme. Mention was also made of Miss Connie Leung, another finalist, for her work with the Halstead Youth Club and involvement with many of the activities for young people in the Halstead area. Councillor Mrs Schmitt felt that both finalists deserved to be recognised and highly commended for their efforts and requested that Members send on their congratulations. It was added that Miss Leung was later successful in winning her award.

20 **PETITION FOR A STATUE OF THE LATE KEITH FLINT OF THE PRODIGY**

INFORMATION: Members considered a petition submitted for a statue of the late Mr Keith Flint of the Prodigy to be placed within Braintree town centre, or at another prominent location. The petition met the requirements of the Council's Petition Scheme as set out in Chapter Two of the Constitution to trigger a debate by Full Council. Whilst the petition had attracted national attention and signatures, there were at least 1,000 signatories whose postcodes related to areas in, or close to the District.

Two Lead Petitioners, Ms Saphya Gower and Mr David Parish, were invited to present the petition to Members. Mr Parish spoke of Mr Flint's iconic status as a musician that extended worldwide throughout the music industry, and also of the strong links that he maintained throughout his life to Braintree as his home town. It was stressed that a permanent memorial would both honour Mr Flint's numerous musical achievements

and increase awareness of mental health issues, the stigma of which Mr Flint played an active role in helping to address.

DECISION: To refer the petition to Cabinet for further consideration.

21 **MOTION BY COUNCILLOR MRS W SCHMITT – CLIMATE EMERGENCY**

INFORMATION: Members considered a Motion submitted by Councillor Mrs W Schmitt:

“This Council declares a “Climate Emergency” with an aim to make Braintree District Council activities, as far as practical, carbon neutral by 2030.

It calls for a Climate Change working group to be established to develop an action plan to ensure all Council functions and decision making is in line with the shift to carbon neutral by 2030.

The action plan is to be brought back to Council within 12 months for approval and implementation.”

There followed a general debate on the Motion. Once the debate had concluded a recorded vote was taken, the result of which was as follows:

For the Motion:

Councillors: Abbott, Baugh, Mrs Beavis, Bebb, Butland, Coleridge, Mrs M Cunningham, T Cunningham, Mrs Dervish, Euesden, Everard, Mrs Garrod, Hensman, Hicks, Horner, Hume, Johnson, Mann, McArdle, McKee, Munday, Mrs Parker, Mrs Pell, Pritchard, Radley, Ramage, Rehman, Rose, Mrs Sandum, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, Thorogood, Unsworth, van Dulken, Wallace, Walsh, Mrs Walters, Miss Weeks, Mrs Wilson, Wrench, Wright (45).

Against the Motion:

Councillors: (0)

Abstained:

Councillor: Mrs Kilmartin (1).

Absent:

Councillors: Bowers, Courtauld, Ricci (3).

The Motion was declared **CARRIED.**

22 **MOTION BY COUNCILLOR R VAN DULKEN – THE ENVIRONMENTAL AND SUSTAINABLE MANAGEMENT OF ROAD SIDE VERGES**

INFORMATION: Consideration was given to a Motion submitted by Councillor R van Dulken:

“Roadside verges are recognised as being increasingly important as havens for wildlife, supporting many common and rare species of wildflowers and animals, such as bumblebees, butterflies and other invertebrates, as well as lizards, amphibians, small mammals and a variety of birds. They act as ecological corridors along which

wildlife can move, linking habitats and allowing wildlife to re-colonise landscapes fragmented by modern agriculture. The wildflowers that grow form an attractive feature of the local landscape. The verges make a significant contribution to the conservation of biodiversity and the local environment across the Braintree District.

Cllr Mrs Wendy Schmitt, in her capacity as the Essex County Council Member for Braintree Town has asked the County Council to undertake a review of the management of roadside verges, as part of its Scrutiny function. This is with a view to a more sustainable way of managing and maintaining the verges being developed that protects their value for biodiversity and conservation without compromising road/public safety.

This Council acknowledge and fully endorses Cllr. Mrs Schmitt's request to Essex County Council and eagerly awaits the outcome of their review."

There followed a general debate on the Motion. On being put to vote, the Motion was approved.

23 **MOTION BY COUNCILLOR J ABBOTT – LIBRARIES**

INFORMATION: Consideration was given to a Motion submitted by Councillor J Abbott incorporating his own amendment:

"This Council notes that the stated purpose of this Motion is to support all existing libraries in Braintree District remaining open, supported as a comprehensive public service.

Council recognises the important role that libraries have in supporting learning, wellbeing and in combating social isolation, and where relevant, rural isolation and that these roles fit well with the objectives in the BDC Corporate Strategy for 2016-2020, particularly the section on Health and Communities.

Council notes that in the consultation version of the Essex County Council Draft Essex Future Library Services Strategy 2019 – 2024, smaller libraries are deemed not required for a legally compliant library service and that unless volunteer and community offers are made to run them, they may close. So called "Tier 4" libraries are particularly vulnerable and in Braintree District these are listed in the Draft Strategy as being at Hatfield Peverel, Kelvedon, Sible Hedingham and Silver End. So called "Tier 3" libraries are also deemed by ECC to not be required for a legally compliant service and in Braintree District these are listed in the Draft Strategy as being at Coggeshall and Earls Colne.

<https://libraries.essex.gov.uk/media/1015668/draft-essex-library-services-strategy.pdf>

[Essex Future Library Services Strategy 2019 - 2024](#)

libraries.essex.gov.uk

2 Draft Essex Future Library Services Strategy 2019 - 2024 This is a strategy for the provision of library services in Essex over the next five years, from 2019/20 to 2023/24.

Council notes that the public response to the consultation Draft Strategy was very significant with over 20,000 formal representations, many petitions containing approximately 60,000 signatures and many local community campaigns all calling for local libraries to remain open. 9 second tier authorities also submitted representations though Braintree District Council was one of only 3 that did not.

Council notes that that the findings of the consultation and Essex County Council's response to the consultation, along with a revised Draft Library Strategy have now been published and are due to be considered at the ECC Cabinet meeting of 23rd July 2019. Council welcomes the fact that the revised Draft Libraries Strategy includes the clear pledge not to close any libraries in Essex but also notes that the details of potential community run libraries are yet to be determined leaving uncertainty as to the future scope and location of each of the libraries previously listed as Tier 3 and 4 in Braintree District.

Council recognises the alignment between the roles of libraries and Braintree District Council's policies and strategies and also the high level of community concern about potential library closures;

Council therefore welcomes the proposal by ECC over the next 5 years to invest in the libraries service in response to the enthusiasm and support for libraries shown by residents and notes the acknowledgement by ECC that the consultation draft of the Libraries Strategy "did not reflect some important local issues".

Council agrees that a representation on behalf of Braintree District Council be sent to the Leader of ECC and the Cabinet Member with responsibility for libraries before the start of the ECC Cabinet meeting of 23rd July 2019 welcoming the decision that all libraries in Braintree District will remain open but also inviting a dialogue between BDC, parish councils and local communities such that whatever model each library is run on, services can be retained and enhanced with professional library staff support and opportunities explored for better use of library buildings and spaces. This representation will also call on ECC to ensure that where community offers to run local libraries are not forthcoming, or where offers made prove not to be viable, libraries should then be professionally staffed and run with no reduction in service."

The Chairman then informed Members that Councillor G Butland, Leader of the Council, had submitted an amendment to the original Motion submitted by Councillor Abbott. Councillor Butland explained that prior to the meeting, he had sought the advice of the Monitoring Officer with regard to his proposed amendment in light of Councillor Abbott's amendments to the original Motion, and that his own amendment still reflected these changes with appropriate notice of this given. For the benefit of Members, Councillor Butland clarified that his amendment included the removal of the third and subsequent paragraphs of the Motion to be replaced with more succinct wording, as follows (changes underlined):-

"This Council notes that the stated purpose of this Motion is to support all existing libraries in Braintree District remaining open, supported as a comprehensive public service.

Council recognises the important role that libraries have in supporting learning, wellbeing and in combating social isolation, and where relevant, rural isolation and that these roles fit well with the objectives in the BDC Corporate Strategy for 2016-2020, particularly the section on Health and Communities.

Braintree District Council commends all those who took part in the consultation exercise. It also congratulates Essex County Council, and in particular, its Leader Cllr David Finch and Portfolio Holder Cllr Susan Barker for responding so positively to the feedback received.

It fully supports the County Council's commitment to invest in all its libraries over the next 5 years. This will ensure that they are at the forefront of technology and keep pace with the changing ways in which people access information. It also supports library buildings becoming more adaptable for community use, working with other organisations to co-locate and making it much easier for people to access a broad spectrum of services."

There followed a general debate on Councillor Butland's proposed amendment to the substantive Motion. Once the debate on the amendment had concluded a recorded vote was taken, the result of which was as follows:

For the Motion:

Councillors: Baugh, Bebb, Butland, Coleridge, Mrs M Cunningham, T Cunningham, Mrs Dervish, Euesden, Mrs Garrod, Hensman, Horner, Hume, Johnson, McArdle, McKee, Munday, Mrs Parker, Mrs Pell, Pritchard, Radley, Ramage, Rehman, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, van Dulken, Wallace, Mrs Walters, Mrs Wilson, Wrench (34).

Against the Motion:

Councillors: Abbott, Mrs Beavis, Everard, Hicks, Mann, Mrs Sandum, Thorogood, Unsworth, Walsh, Miss Weeks, Wright (11).

Abstained:

Councillor: Mrs Kilmartin (1).

Absent:

Councillors: Bowers, Courtauld, Ricci (3).

The proposed amendment to the Motion was declared **CARRIED**.

There followed a general debate on the Substantive Motion as amended. On being put to vote, the Motion as amended was approved in the following form:

"This Council notes that the stated purpose of this Motion is to support all existing libraries in Braintree District remaining open, supported as a comprehensive public service.

Council recognises the important role that libraries have in supporting learning, wellbeing and in combating social isolation, and where relevant, rural isolation and that these roles fit well with the objectives in the BDC Corporate Strategy for 2016-2020, particularly the section on Health and Communities.

Braintree District Council commends all those who took part in the consultation exercise. It also congratulates Essex County Council, and in particular, its Leader Cllr David Finch and Portfolio Holder Cllr Susan Barker for responding so positively to the feedback received.

It fully supports the County Council's commitment to invest in all its libraries over the next 5 years. This will ensure that they are at the forefront of technology and keep pace with the changing ways in which people access information. It also supports library buildings becoming more adaptable for community use, working with other organisations to co-locate and making it much easier for people to access a broad spectrum of services."

24 **MOTION BY COUNCILLOR J ABBOTT – LOCAL PLAN**

INFORMATION: In accordance with the Code of Conduct, Councillor Mrs Scattergood left the meeting during the consideration of this Item.

A Motion with amendment was submitted by Councillor J Abbott and seconded in the following form:

"This Council agrees to debate and vote on this motion at the Full Council meeting of 22nd July 2019, the effect of which if agreed is to revert to the Local Plan Inspector's Independent expert recommendation of 'Option 1' as set out in his June 2018 letter, which is to secure acceptance of Part 2 of the Local Plan as soon as possible and that work on Part 1 (Garden Communities) be halted for the time being.

Council recognises the significant financial and planning risks should the revised material on Part 1 be found still unsatisfactory, resulting in the Inspector again not being able to agree to the Plan being Sound.

Council recognises that as of 31st March 2019 the housing sites allocated in Part 2 already amount to some 13,993 (*) dwellings which is 98% of the total minimum requirement of 14,320 in the Local Plan to the year 2033.

Council also recognises that updated development management policies are vital to ensuring the delivery of sustainable development and that these are contained within Part 2.

Council agrees that by securing an Adopted Plan which has up to date policies and the required housing numbers, it has the best defence against the on-going speculative development proposals being submitted on greenfield sites around towns and villages in the district.

(*) Estimated 5,938 in submitted Part 2 plus actual 8,055 with planning permission and/or built."

Councillor G Butland moved without notice a procedural motion in accordance with Rule 20.1.9 of Chapter 2 of the Constitution: to proceed to the next Item of business. Councillor Butland explained that a Special Meeting of the Council on 1st August 2019 had been arranged in order to consider the recommendations that had emerged from the meeting of the Local Plan Sub-Committee on 18th July 2019, along with all of the

revised documents that would be submitted to the Planning Inspectorate, should Members agree to this course of action. Councillor Butland emphasised the need for there to be effective scrutiny of reports and any other documents in respect of the Local Plan and that, for this to occur, a suitable time period was necessary to allow Members to make more informed decisions as to whether there was sufficient evidence to enable the Council to address the issues highlighted in the Planning Inspector's letter received in June 2018. It was added that any abrupt decision making beforehand in respect of the Local Plan could inhibit the success of the Special Meeting of the Council on 1st August 2019, and even negate the need for the meeting to take place at all for which democratic arrangements were already in place.

There followed a debate about this procedural motion. In response to a concern raised about the opportunity for public speaking, Councillor Butland referred Members to Paragraph 15.1 of Chapter 2 of the Council's Constitution regarding the rules surrounding public debate, and suggested that he would support the time allotted for Public Question Time at the Special Meeting of the Council on 1st August 2019 of 30 minutes being extended to encourage wider public participation. However, Councillor Butland stressed that the time permitted for public speaking at that meeting did not extend to Elected Members of the Council.

Once the debate had concluded a recorded vote was taken in respect of Councillor Butland's procedural motion, the result of which was as follows:

For the Motion:

Councillors: Baugh, Bebb, Butland, Coleridge, Mrs M Cunningham, T Cunningham, Mrs Dervish, Euesden, Everard, Mrs Garrod, Hensman, Horner, Hume, Johnson, Mann, McArdle, McKee, Munday, Mrs Parker, Mrs Pell, Pritchard, Radley, Ramage, Rehman, Rose, Miss Santomauro, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, van Dulken, Wallace, Mrs Walters, Mrs Wilson, Wrench (35).

Against the Motion:

Councillors: Abbott, Mrs Beavis, Hicks, Mrs Sandum, Thorogood, Unsworth, Walsh, Miss Weeks, Wright (9).

Abstained:

Councillor: Mrs Kilmartin (1).

Absent:

Councillors: Bowers, Courtauld, Ricci, Mrs Scattergood (4).

The Procedural Motion was declared **CARRIED**. Accordingly the meeting moved to the next item of business without a vote on the Motion proposed by Councillor Abbott.

25

MOTION BY COUNCILLOR J ABBOTT – CLIMATE AND SPECIES

INFORMATION: Consideration was given to a Motion together with amendment submitted by Councillor J Abbott:

"This Council notes the clear scientific evidence about human-induced climate change and species extinction. The 20 warmest years on record have occurred in the past 22 years. Failure to curb greenhouse gas emissions will very likely lead to further global

warming, rising sea levels and local flooding, extreme and abrupt changes to weather patterns, impacts on crops and further extinctions of plant, insect and animal species.

Council notes that to avoid the worst of potential climate impacts, the 2018 Intergovernmental Panel on Climate Change (IPCC) report stated that mean global temperatures will need to be restricted to no more than 1.5C above pre-industrial levels but that 1C of that warming has already taken place. Climate change and habitat loss together have already contributed to a 60% decline in the size of populations of mammals, birds, fish, reptiles and amphibians since 1970.

Council notes that many local authorities have passed Climate Emergency motions in a bid to reduce their own carbon footprint, to help protect their local environment and to promote sustainable local economies in partnership with communities.

This Council therefore resolves to:

1. Align with the Climate Emergency initiatives that are being supported in many parts of the UK and publicise this to residents in Braintree District in order to raise awareness and to support local effective action.
2. Establish a remit within the new Scrutiny arrangements for the new Climate Change working group to work on the topics of climate change (including a new Climate Local Strategy & Action Plan), air quality and biodiversity including monitoring and policy development.
3. Co-operate with neighbouring local authorities, as well as communities, to encourage practical measures to reduce local authority emissions.
4. Encourage all sectors of the local economy to take steps to reduce waste generation and to develop a new strategy with the aim of achieving a Braintree District recycling/composting target of 60% by the year 2025.
5. Set annual targets to reduce the Council's greenhouse gas emissions and explore ways of substantially increasing renewable energy generation on the Council's estate with a target of net-zero greenhouse gas emissions by 2030.
6. Use the planning functions of the Council to promote energy efficiency and renewable energy in new development, sustainable modes of travel and retention and enhancement of biodiversity and habitats on development sites.
7. Prioritise walking, cycling and public transport above road building. Work with Essex County Council to establish a network of off-road cycling routes between towns in the district, connected to railway stations and larger villages.
8. Support and promote decarbonisation of energy across Braintree District and help promote community initiatives to develop renewable energy projects.
9. Continue to support and promote hedge and tree planting, especially with native species, and to explore opportunities for new Community Woodlands in the district.
10. Work with parish councils and Essex County Council to establish a substantial network of rural verges managed for biodiversity benefit on an environmentally

sympathetic and ecological basis without use of chemicals and using a 'cut less, cut later' basis as recommended by Plantlife.

11. Use its powers, policies and influence to reduce light pollution which as well as being a contributor to energy wastage, can harm human health and is a direct threat to sensitive nocturnal species.
12. Request the Leader of the Council to write to the Minister of State for Energy and Clean Growth asking what support local authorities will be given to assist them contributing to the recently agreed UK target of net-zero greenhouse gas emissions by 2050 (with the local target for BDC being 2030)."

There followed a general debate on Councillor Abbott's proposed substantive Motion. Once the debate had concluded a recorded vote was taken, the result of which was as follows:

For the Motion:

Councillors: Abbott, Mrs Beavis, Everard, Hicks, Hume, Mann, Munday, Mrs Sandum, Thorogood, Unsworth, Walsh, Miss Weeks, Wright (13).

Against the Motion:

Councillors: Baugh, Bebb, Butland, Coleridge, Mrs M Cunningham, T Cunningham, Mrs Dervish, Euesden, Mrs Garrod, Hensman, Horner, Johnson, McArdle, McKee, Mrs Parker, Pritchard, Radley, Ramage, Rehman, Rose, Mrs Scattergood, Mrs Schmitt, Schwier, Mrs Spray, Tattersley, van Dulken, Wallace, Mrs Walters, Wrench (29).

Abstained:

Councillors: Mrs Kilmartin, Mrs Pell, Miss Santomauro, Mrs Wilson (4).

Absent:

Councillors: Bowers, Courtauld, Ricci (3).

The Motion was declared **LOST**.

26 **ISSUES AFFECTING THE DISTRICT DEBATE**

INFORMATION: Members were invited to participate in an open debate about local and strategic issues affecting the Braintree District. The main topics raised were as follows:-

- Councillor Abbott expressed his hope that there was now an inclination by the Council towards a sustainability agenda where it had previously moved away from this route, especially with the advent of emerging issues around climate change, habitat, health and wellbeing and transport.
- Councillor Hicks on the worldwide issue of climate change and the need for there to be urgent combative action. A question was posed that asked whether the Council should do more to ensure that renewable energy was included within new housing builds, given the vast amount of housing emerging, and also to review the work of other Local Authorities in order to identify best practices. Furthermore, it was requested that the amount of new housing built with renewable energy facilities that had been granted planning permission in the previous two years be provided.

- Councillor Unsworth mentioned the issue of poor air quality and that he would like the Council to adopt an Air Quality Management Area.
- Councillor Mrs Beavis highlighted several issues which revolved around local communities, which included the need for improvements to football clubs, the lack of capacity at sport facilities such as local swimming clubs and golf clubs, and the overall need for there to be increased employment opportunities. The 'Wigan Deal' was quoted as a healthy example of a Council that had taken a unified approach towards improving facilities and the opportunities for local residents.
- Councillor Wrench requested that issues surrounding employment and jobs be discussed, including the potential strategies that could be adopted to help stimulate higher paid and more skilled employment opportunities within the District. Previous successful initiatives by the Council on this subject were highlighted, and included the apprenticeship scheme, the Manor Street Development Project and the I-Construct Project.
- Councillor Hensman listed a number of current issues that affected the residents of Braintree Town, of which included planning policies that allowed permitted development of office or retail areas into housing and flats, as well as any spare land for this purpose as well. The need for there to be more green spaces in residential areas was also mentioned, as well as the lack of infrastructure available to support increased housing in local areas, such as schools and GP surgeries. A question was also raised as to what action the Council could take towards preventing further developments of this nature.
- Councillor Rose commented on the need for Members to consider the improvement needs of their own respective Wards, such as improvements to facilities like those of football clubs and other local amenities. Councillor Rose made reference to previous successes within this field that included the repair work carried out at the Spa Road Shopping Centre in Witham, of which community grant awards had played a key role in instigating.
- Councillor Schwier stressed the importance of the 'Fibre to the premises' initiative and the vast improvements this will bring for residents throughout the District, but particularly for those within rural areas where mobile signals were often inadequate.
- Councillor Mrs Dervish emphasised the need for improvements to road safety measures across the District, especially around schools, such as 20mph speed restrictions. Members were encouraged to work more closely with Essex Highways to help implement such initiatives within their own areas where needed.
- Councillor Wallace underlined the need for the provision of higher paid and skilled job opportunities for residents within the District. It was added that the Council was taking positive actions towards securing such opportunities, as evidenced by the purchase of the Horizon 120 land, and furthermore by the North Essex Economic Strategy which involved a number of Local Authorities working together to share common objectives and ideas.

- Councillor Baugh focused on what the Council could do more of to help younger people, especially in relation to crime in urban areas and diverting younger people away from criminal acts such as anti-social behaviour. One way in which this could be achieved was through improving our links as a Council with local partnerships (such as the Community Safety Partnership). Similar initiatives had been noted in the West Midlands with regard to Local Authorities and the 'Youth Zone Project.'
- Councillor Mrs Scattergood drew attention to the outstanding volunteers within the District and the invaluable work they carried out. An example provided was the opening of the local library for the Stour Valley South village area, which was run entirely by volunteers.
- Councillor Mrs Pell stressed that sport facilities and clubs in local areas were thriving with a number of younger people undertaking activities such as football, cricket and rugby. Many activities and sports clubs were also run largely by volunteers.
- Councillor Mrs Parker commented on the vast improvements being made in respect of communication within the District, such as with broadband connection, but stressed the need for further advancements to be made, particularly in regard to mobile phone connections. Further comment was also made on the need to keep Public Rights of Way (PROW) areas maintained in order to help address wellbeing issues, as well as the possibility of converting some footpaths within the District to bridleways, as there was a shortage of these generally. Finally, recognition and praise was given in respect of the number of esteemed cricket clubs within the District.
- Councillor Miss Santomauro drew attention to the recent Village of the Year Awards which was hosted by the Rural Community County of Essex Awards, the focus of which was the work of communities and how volunteers help to make their local areas a "better place." It was reported that Great Bardfield had won joint second place; the judges were particularly impressed by the village's summer bowls events and village book shop, as well as the town hall which was considered a key community asset.
- Councillor Pritchard followed on from the comments of Councillor Baugh and mentioned the recent work by police which had taken place as part of 'Operation Zeal,' which targeted County Lines drugs. The need to address drug related issues across the District was stressed and a suggestion made that the Council considered the allocation of a specific resource to help combat this.
- Councillor van Dulken spoke about the declining state of footpaths in the northern area of the District and the need to address this, especially with encroaching plant life and the subsequent unsightliness of the pavements.
- Councillor Mrs Kilmartin suggested that Members visit the schools within the District in order to undertake reading classes on newspapers and the information that they contain.

The Chairman thanked the Members who had participated in the debate. In response to some of the statements made, Councillor Mrs Spray and Councillor T Cunningham made the following comments:-

- Councillor Mrs Spray stressed to Members that the advent of the garden communities and the provision of new facilities in these areas did not mean that the needs of other areas within the District would be ignored. It was highlighted that community grants were available to be used to help communities to implement improvements for areas in disrepair, as evidenced by the recent work carried out in Spa Road, Witham and the improvement work previously enacted at the Earls Colne Recreation Club under the 'My Community' fund.
- Councillor T Cunningham reminded Members that a number of them currently ran their own businesses which helped to attract and create wealth across the District, and contributed significantly to the local economy. The need to attract further investment in order to create more skilled job opportunities was acknowledged, and as such, the need for there to be a skilled workforce established for the District as well. Appreciation was expressed to those Members who commended the opportunities generated by the Horizon 120 Project, as well as thanks for the positive comments in respect of the Manor Street Development in Braintree Town Centre. It was agreed that the state of the High Street in Braintree was inadequate, but that this was a similar situation in other town centres within the District as well. Action was being taken to help make improvements in respect of this, and reference was made to the street market events which were helping to encourage visits to the town centre in Braintree and generate further income, as well as similar plans intended for Witham and Halstead in the near future. Thanks was also expressed to those Members who had commented on the success of broadband and digital connectivity initiatives.

27 **UPDATE TO APPOINTMENTS TO COMMITTEES OF COUNCIL**

INFORMATION: Members considered a report on the change in proportionality of Councillors in political groups further to the Annual General Meeting held on 21st May 2019. The change required there to be a subsequent reconsideration of the balance of the various groups and the allocation of seats on Committees.

DECISION: That the Council:-

- (1) Notes the political balance requirements.
- (2) Approves the increase by one in the size of the Licensing Committee.
- (3) Authorises the Head of Governance to amend the Council's Constitution to reflect the changes detailed in the report.
- (4) Agrees the allocation of seats to political groups in accordance with the report.

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

BRADWELL WITH PATTISWICK NEIGHBOURHOOD PLAN ADOPTION

INFORMATION: Consideration was given to a report on the proposal to publish a statement to “make” the Bradwell with Pattiswick Neighbourhood Plan (2017-2033) as part of Braintree District Council’s Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012. The report of the independent examiner had concluded that, subject to certain modifications proposed in his previous report dated February 2019, the Neighbourhood Plan met the basic conditions and could therefore proceed to a referendum. The Plan had subsequently been amended and it had been the subject of a referendum held on Thursday, 27th June 2019 in the parish of Bradwell with Pattiswick; 92.7% of those who had voted were in favour of the Plan.

Paragraph 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) required that the District Council must “make” the Neighbourhood Plan if more than half of those who voted had done so in favour of the Plan, unless this would breach or would otherwise be incompatible with an EU obligation, or any of the Convention rights (within the meaning of the Human Rights Act 1998).

DECISION: That the Decision Statement attached at Appendix 1 to the report be approved, and the Bradwell with Pattiswick Neighbourhood Plan be “made” under Section 38A(4) of the 2004 Act.

REASON FOR DECISION: To enable the Bradwell with Pattiswick Neighbourhood Plan to be used in the determination of planning applications within the Bradwell with Pattiswick parish area.

RECOMMENDATION FROM CABINET – 8TH JULY 2019 – DISPOSAL OF LAND AT HORIZON 120, GREAT NOTLEY – PUBLIC

INFORMATION: Members were reminded that this Item was linked to Item 20 in the Private Session of the Agenda, and that if any Member wished to refer to the private information contained within the report for that Item, it would be necessary for the meeting to be moved into Private Session.

DECISION: That, under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting if it is necessary to discuss Item 9a of the Agenda and the Private Report, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

Both Agenda Items were taken together to enable consideration of all issues. It was not necessary for the debate to be moved into Private Session although the relevant report remains private.

INFORMATION: Consideration was given to a report which recommended that an increase in the approved capital budget be agreed in order to provide sufficient financial resource to enable the Council to conclude negotiations in relation to the disposal of land at the Horizon 120 employment site in Great Notley. Members were informed that since the establishment of the initial budget, the company Gridserve had acquired a site which required there to be a second entrance/exit based at the south side of the Horizon 120 site. As such, there was a need for additional infrastructure to

be provided in the area and, consequently, a minor increase to the initial approved budget to allow the negotiations in respect of the need for further infrastructure to proceed.

DECISION: That the increase in the approved capital budget be agreed.

REASON FOR DECISION: To enable the Council to conclude negotiations in relation to the disposal of land, on satisfactory terms, at the Horizon 120 employment site in Great Notley and to expedite procurement of infrastructure works and proper consideration of the draft Local Development Order.

30 REPORTS OF THE LEADER AND CABINET MEMBERS

INFORMATION: The Chairman invited the Leader and the Cabinet Members to introduce their reports. Following this, the Chairman invited Members to ask 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 G Butland, Leader of the Council, had nothing further to add to his report.

Councillor D Bebb, Cabinet Member for Finance and Performance, had nothing further to add to his report.

In the absence of Councillor K Bowers, Cabinet Member for Homes, Councillor G Butland, Leader of the Council, was invited to introduce the report. Councillor Butland had nothing further to add to the report.

Councillor T Cunningham, Cabinet Member for Economic Development and Infrastructure, had nothing further to add to his report.

Councillor J McKee, Cabinet Member for Corporate Transformation, had nothing further to add to his report.

In the absence of Councillor F Ricci, Cabinet Member for Communities, Culture and Tourism, Councillor Tattersley, Cabinet Member for Health and Wellbeing, was invited to introduce the report. Councillor Tattersley had nothing further to add to the report.

Councillor Mrs W Schmitt, Cabinet Member for Environment and Place, had nothing further to add to her report.

Councillor Mrs G Spray, Cabinet Member for Planning, had nothing further to add to her report.

Councillor P Tattersley, Cabinet Member for Health and Wellbeing, had nothing further to add to his report.

Members asked several questions arising from the reports. A webcast of the questions to and responses of Cabinet Members is available on the Council's website at www.braintree.gov.uk.

The main topics were as follows:-

- Councillor Mrs Beavis enquired as to when the report from the Local Government Association (LGA), further to the annual conference, would be received from the Members who were in attendance at the event.
- Councillor Mrs Beavis also asked for confirmation as to who was the responsible Cabinet Member for community partnerships with regard to libraries.
- Councillor Mrs Beavis sought direction as to how she should respond to an enquiry from members of Halstead Town Football Club about a potential extension to the club grounds.
- Councillor Mrs Pell commented on the lack of information available as to the progress of the A131 development around Halstead and she asked for confirmation as to whether the funding previously allocated for the Marks Farm, Braintree roundabout work was still available.
- Councillor Abbott raised a query on behalf of local residents who had enquired as to when they would receive a definitive answer regarding the start of improvement works along the A12.
- Councillor Mrs Scattergood asked whether Councillor Mrs Schmitt would consider a trial installation of signage along dual carriageways within the District which highlighted the road safety issues caused by excessive littering. Such a scheme had been successfully implemented by Babergh District Council along the Sudbury Bypass.
- Councillor Unsworth mentioned the recent Malaysian waste bag scandal and queried what lessons had been learnt by the Council following this, particularly with regard to the distribution of waste from the District.
- Councillor Hensman enquired as to whether staff based within the Operations' Enforcement Team at Braintree District Council could be similarly resourced to the equivalent team at Maldon District Council in terms of the equipment they were supplied with.
- Councillor Walsh raised a query with regard to the submission of the documents produced as part of the Local Plan to the Planning Inspector and whether this was reliant on the outcome of the Government Housing Infrastructure Funding (HIF) bids before any such submissions could take place, and what delays might be experienced as a result.
- Councillor Walsh asked a further question regarding the proposed joint Members meeting of the North Essex Authorities and Braintree District Council's alleged opposition to this. Furthermore, Councillor Walsh queried why his request to delay the meeting of the Local Plan Sub-Committee on 11th July 2019 had been declined by the Cabinet Member.

- Councillor Mrs Sandum raised a query about the possibility of providing extra resources for the Planning Enforcement Team to enable them to respond to customer enquiries at more efficient rates.
- Councillor Abbott commented on the number of houses with planning permission that were on unallocated site and he queried this.
- Councillor Abbott asked for confirmation as to when Silver End would receive its updated conservation guide.

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

- Councillor T Cunningham, Cabinet Member for Economic Development, announced that there were a series of upcoming community engagement meetings due involving Essex County Council, Highways England and Jacobs and that any information derived from these regarding improvements to the A12 would be circulated to Members.
- Councillor Mrs Schmitt, Cabinet Member for Environment and Place, agreed to look at the possibility of a trial installation of litter preventative signage along dual carriageways in the District for the purpose of road safety.
- Councillor Mrs Schmitt, Cabinet Member for Environment and Place, stated that she would look further into issues regarding mixed recycling of glass bottles.
- Councillor Mrs Schmitt, Cabinet Member for Environment and Place, would look further at the equipment used by Maldon District Council's Enforcement Team and how it compared with that used by staff at Braintree District Council.
- Councillor Mrs Spray, Cabinet Member for Planning, advised Councillor Abbott that she would look further into his query regarding the conservation guide for Silver End and report back to him.

31 **LIST OF PUBLIC MEETINGS HELD SINCE LAST COUNCIL MEETING**

INFORMATION: There were no matters raised.

DECISION: Members noted the Minutes published.

During the course of their discussions, Members moved, seconded and agreed, as required by the Constitution, that the meeting be extended beyond 10.15pm to enable all business on the Agenda to be transacted.

The meeting commenced at 7.15pm and closed at 10.32pm.

Councillor Mrs A Kilmartin
(Chairman)