

# **ANNUAL GENERAL MEETING OF THE COUNCIL AGENDA**

**Monday 25<sup>TH</sup> April 2022 at 7.15pm**  
**Council Chamber, Braintree District Council, Causeway House,**  
**Bocking End, Braintree, CM7 9HB**

This meeting is a public meeting. The Council is continuing to maintain social distancing at all its public meetings. In order to ensure the safety of everyone involved, members of the public are recommended to watch the meeting live via the Council's YouTube channel and not attend the venue unless they are participating in the meeting or have been advised to do so by the Governance Team.

<http://www.braintree.gov.uk/youtube>

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**Members of the Council are requested to attend this meeting to discuss the business set out in the Agenda.**

**Membership:-**

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

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

A WRIGHT  
Chief Executive

**INFORMATION FOR MEMBER – DECLARATIONS OF MEMBERS' INTERESTS**  
**Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI)**  
**or Non-Pecuniary Interests (NPI).**

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

**Public Question Time - Registration and Speaking:**

The Council's Annual General Meetings is held in accordance with Council Procedure Rule 12.1 as set out in the Council's Constitution.

Please note there is no Public Question Time session at the Annual General Meeting of Full Council. Please direct any queries to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

**Public Attendance at Meeting:**

Public attendance is welcomed, but is subject to restrictions due to the Council's arrangements for keeping Causeway House Covid secure and visitors safe.

Public attendance is limited and will be on a first come first served basis with priority given to invitees of the Annual General Meeting. In order to maintain safe distances, the Council may have to refuse entry to members of the public.

The Council's meetings are all webcast and are available via the Council's YouTube channel and can be viewed by the public as a live broadcast or as a recording following the meeting.

Public attendees are required to attend on their own, and where possible, only one representative of any community group, family household or company should attend. Members of the public intending to come to the meeting venue to observe the meeting are recommended to contact the Governance and Members Team to reserve a seat within the public gallery.

Members of the public may wish to wear face coverings, as they move around the venue and when using communal areas. Once seated, face coverings can be removed.

Please do not attend the meeting if you are feeling unwell. The Council would recommend that anyone who is intending to attend the meeting take a lateral flow test on the morning of the meeting. This will help to protect you and others.

**Health and Safety:**

Any person attending meetings are requested to take a few moments to familiarise themselves with the nearest available exit, indicated by the fire evacuation signs. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by Officers. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

**Mobile Phones:**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

**Webcast and Audio Recording:**

Please note that this meeting will be webcast and will be available on the Council's YouTube channel.

**Documents:**

Agendas, Reports, Minutes and Public Question Time questions and statements can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

**Data Processing:**

For further information on how the Council processes data, please see the Council's Privacy Policy. [https://braintree.gov.uk/info/200136/access\\_to\\_information/376/privacy\\_policy](https://braintree.gov.uk/info/200136/access_to_information/376/privacy_policy)

**Your Comments:**

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

**1 Apologies for Absence****2 Chairman's address to Council**

Councillor Mrs Sue Wilson, the outgoing Chairman of the Council, will address the Council.

**3 Presentation to Councillor Mrs Sue Wilson, the Outgoing Chairman of the Council.**

On behalf of the Council, the Chief Executive, Andy Wright, will make a presentation to the Chairman of the Council.

**4 To elect the Chairman of Braintree District Council for the Civic Year 2022/23**

Following the election the Chairman of the Council will receive the Chain of Office and sign the Declaration of Acceptance of Office.

Acceptance address by the new Chairman of Braintree District Council.

**5 To elect the Vice-Chairman of Braintree District Council for the Civic Year 2022/23**

Following the election the Vice-Chairman of the Council will receive the Chain of Office and sign the Declaration of Acceptance of Office.

Acceptance address by the new Vice-Chairman of Braintree District Council.

**6 To receive any announcements from the Chairman of the Council****7 Minutes of the Previous Meeting**

To approve as a correct record the minutes of the meeting of Full Council held on 28<sup>th</sup> March 2022 (previously circulated).

**8 Declarations of Interest**

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

**9 Leader of the Council**

To note that Councillor Graham Butland is the Leader of the Council as appointed at the Annual General Meeting of 21st May 2019 for a four year term of Office.

**10 Approval for Non-Attendance at Council Meetings****6 - 8**

<b>11</b>	<b>Council Appointments</b>	<b>9 - 18</b>
	This report includes appointment to Council Committees and Outside Bodies	
<b>12</b>	<b>Leader's Announcements - Cabinet Updates</b>	<b>19 - 26</b>
	This report sets out the Leader's arrangements for Cabinet, Appointments to Cabinet Sub-Committees and Outside Bodies	
<b>13</b>	<b>Annual Review of the Constitution</b>	<b>27 - 36</b>
<b>14</b>	<b>Annual Timetable of Meetings 2022/23</b>	

To confirm the following dates of Ordinary meetings of Full Council listed below.

Ordinary meetings of Full Council are held on a Monday starting at 7:15pm:

- 20th June 2022
- 25th July 2022
- 10th October 2022
- 12th December 2022
- 20th February 2023
- 27th March 2023

The Annual General Meeting (AGM) will be held on 25th May 2023

Please note: At the date of publication the date of the 2023/24 AGM is to be confirmed.

## Agenda Item: 10

<b>Report Title:</b> Approval for Non-Attendance at Council Meetings	
<b>Report to:</b> Council – Annual General Meeting	
<b>Date:</b> 25 <sup>th</sup> April 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> Kim Cole, Head of Governance and Monitoring Officer	

### 1. Purpose of the Report

- 1.1 To approve Members' absence from meetings of full Council, which arise out of a need to follow the new public health advice.

### 2. Recommendations

- 2.1 Council agrees:

- 2.1.1 For the purposes of section 85(1) of the Local Government Act 1972 the Council approves a Member's non-attendance of the Council meeting where the Member took part in the meeting virtually, as a result of the need to follow public health guidance that prevented them from attending in person, namely:

- they have a medical vulnerability;
- they have covid or are suffering with covid symptoms; or
- they are limiting contact with others due to a member of their household suffering with Covid or covid symptoms.

- 2.1.2 All Members wishing to attend remotely must notify the Monitoring Officer prior to the meeting. Reasons of their remote attendance will be retained by the Monitoring Officer as a matter of formal record;

- 2.1.3 Those Members attending virtually will be able to engage in any debate at the meeting but will not be able to vote on any item of business before the Council;

- 2.1.4 Those Members attending virtually will be recorded as attending the meeting, would not be affected by the six month rule; and

- 2.1.5 This will be reviewed by the Monitoring Officer over the next 6 months and will be returned to Council for further consideration in December 2022, or earlier in the event of a change to Government Guidance.

### **3. Summary of Issues**

- 3.1 As a result of the Governments 'Living with Covid-19' guidance it is important that the Council has regard to the ongoing health and safety of its Members and Officers attending its decision-making meetings. Since the removal of the ability to hold virtual meetings, the Council has continued to implement guidance issued by the Government and Public Health officials. With all restrictions being lifted and the national message that the Country must adapt to living with covid long term, the Council has reviewed its practice for it meetings.
- 3.2 The membership of most committees means that it is possible to continue to maintain space between members, fully ventilate the room, and bring in additional measures where needed. However, limitations on the chamber means that it is not possible to have similar spacing between Members during meetings of full Council.
- 3.3 Recognising the need to ensure that the Council has measures in place to protect attendees at full Council it is recommended that the Council continues to make provision for Members to attend Council meetings remotely. In order to preserve the Council's decision making it is important that Members are wherever possible present in the room at the point decisions are taken. Accordingly, the ability to attend a meeting remotely will be restricted to:
- those who have a medical vulnerability that would put them at a higher risk of becoming seriously unwell from Covid19, as defined by Government guidance;
  - those who have tested positive for Covid19 or are suffering with covid symptoms; or
  - those who are limiting contact with others due to a member of their household suffering with Covid19 or covid symptoms.
- 3.4 Unfortunately a recent court case involving Hertfordshire County Council made it clear that attending a meeting virtually does not count as attending the meeting for the purpose of section 85 of the Local Government Act 1972 (often known as the six month rule). The six month 'clock' is re-started every time a Member attends any meeting of the Council or of any of its committees or of an outside body where the Member is the officially appointed Council representative.
- 3.5 That said, the Council cannot be absolutely certain that this will not cause an issue to anyone, and it would be unfair if a Member attending virtually lost their seat under the six-month rule because they had complied with the Director of Public Health and Government advice.
- 3.6 It is therefore proposed to in effect disapply the six month rule to prevent the risk of any Member losing their seat as a result of attending meetings of full Council virtually where they do so because of the above criteria. Members who attend virtually will be included in the minutes as being present remotely.
- 3.7 It is important that the Council keep this arrangement under review and that it remains relevant to government public health guidance. As a result it is

proposed that the provision will be monitored by the Councils Monitoring Officer and where necessary brought back to full Council for further consideration in December 2022, or before if there is a change in Governance guidance.

#### **4. Financial Implications**

- 4.1 There are no financial implications arising out of the recommendations set out in this report.

#### **5. Legal Implications**

- 5.1 The recommendation set out in this report gives effect to the statutory provisions under the Local Government Act 1972.

#### **6. Other Implications**

- 6.1 There are no other implications arising from the recommendations set out in this report.

#### **7. Equality and Diversity Implications**

- 7.1 There are no equality or diversity issues arising from this decision.

#### **8. List of Appendices**

- 8.1 None

#### **9. Background Papers**

- 9.1 None



## Agenda Item: 11

<b>Report Title:</b> Council Appointments	
<b>Report to:</b> Council – Annual General Meeting	
<b>Date:</b> 25 <sup>th</sup> April 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/54 and DP/2021/55
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> Kim Cole, Head of Governance and Monitoring Officer	

### 1. Purpose of the Report

- 1.1 The Council has a number of Committees and Sub-Committees whose membership is determined to by the Council. This report outlines those appointments and the requirements set out in the Local Government and Housing Act 1989 to allocate seats to Political Groups on a politically proportionate basis for the 2022/23 civic year.

### 2. Recommendations

- 2.1 To approve the appointments to Council Committees as set out in Appendix A.
- 2.2 To Approve the appointments to the Outside Bodies as set out in Appendix B.

### 3. Summary of Issues

- 3.1 This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees and Sub-Committees to Political Groups on a politically proportionate basis. The Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 apply with some exceptions to any Committees established under the Constitution.
- 3.2 The membership of the Council is 49 seats and for the purpose of the allocation of seats, this is broken down as follows:-
- 33 - Conservative Group
  - 9 - Green and Independent Group
  - 4 - Halstead Residents Association
  - 2 - Labour Group
  - 1 Independent

### 3.3 Political balance requirements

- 3.4 The allocation of seats on ordinary Committees must be in the same proportion as the number of Members of the Group bears to the membership of the Council as a whole.
- 3.5 The Council has a duty when allocating or reviewing the allocation of seats on Committees to give effect so far as is reasonably practicable to the following four principles:-
- (a) all the seats are not allocated to the same Political Group;
  - (b) the majority of the seats go to the Political Group in the majority on the full Council;
  - (c) subject to the above two principles, the total number of seats on the ordinary Committees of the Authority are allocated to each Political Group in the same proportion as the Group's representation on the full Council; and
  - (d) subject to the above three principles, the number of seats on each Committee are allocated to each Political Group in the same proportion as the Group's representation on the Council.
- 3.6 There has been no change to the existing arrangements of Committees and no change to the Councils overall membership. As a result, there are no changes to the Political Proportionally of the Committees.

## 4 Council Committee Appointments

### 4.1 Planning Committee

- 4.1.1 The Planning Committee membership will be subject to the following changes:

Stepping Down	Proposed Member
Councillor Patrick Horner	Councillor Sue Wilson

- 4.1.2 The Planning Committee has nominated substitutes for each Political Group, the changes to those appointments are as follows:

Stepping Down	Proposed Member
Councillor Sue Wilson	Councillor Angela Kilmartin

### 4.2 Licensing Committee

- 4.2.1 The Licensing Committee membership will be subject to the following changes:

Stepping Down	Proposed Member
Councillor Andrew Hensman	Councillor Trevor McArdle
Councillor Richard van Dulken	Councillor Iona Parker

- 4.2.2 The Licensing Committee has nominated substitutes for each Political Group, the changes to those appointments are as follows:

<b>Stepping Down</b>	<b>Proposed Member</b>
Councillor Iona Parker	Vacancy (Cons)

#### 4.3 **Community Development Scrutiny Committee**

- 4.3.1 The Community Development Scrutiny Committee membership will be subject to the following changes:

<b>Stepping Down</b>	<b>Proposed Member</b>
Councillor Andrew Hensman (Vice Chairman)	Councillor Sue Wilson (Vice-Chairman)

- 4.3.2 Councillor Hensman held the Vice Chairman role for the Community Development Scrutiny Committee. As a result of stepping down as Vice-Chairman, it is proposed that the Vice-Chairman appointment is allocated to Councillor Sue Wilson. As a result of this appointment, Councillor Wilson would be entitled to receive a Special Responsibility Allowance in the sum of £2577.00.

#### 4.4 **Governance and Audit Scrutiny Committee**

- 4.4.1 The Governance and Audit Scrutiny membership will be subject to the following changes:

<b>Stepping Down</b>	<b>Proposed Member</b>
Councillor Hylton Johnson	Councillor Saif Rehman
(Vice Chairman)	Councillor Paul Euesden (Vice Chairman)

- 4.4.2 Councillor Johnson is stepping down as a Member of the Governance and Audit Scrutiny Committee and it is proposed that Councillor Saif Rehman fills that vacancy.

- 4.4.3 Councillor Johnson also held the Vice Chairman role for the Community Development Scrutiny Committee. As a result of stepping down from the Committee, it is proposed that the Vice-Chairman appointment is allocated to Councillor Paul Euesden. As a result of this appointment, Councillor Euesden would be entitled to receive a Special Responsibility Allowance in the sum of £2577.00.

#### 4.5 **Partnership Development Scrutiny Committee**

- 4.5.1 The Partnership Development Scrutiny membership will be subject to the following changes:

<b>Stepping Down</b>	<b>Proposed Member</b>
Councillor Paul Thorogood	Councillor James Abbott

- 4.5.2 No other sizes of Committees, the appointments of Members or the appointments of Chairman or Vice Chairman are impacted as a result of this report. For the avoidance of doubt Appendix A sets out all the Council's Committees and their membership, and incorporates the changes as set out in this report.
- 4.6 All appointments are for the 2022/23 Civic Year, and any midyear vacancies are able to be filled by the relevant Political Group at any time upon written notice to the Chief Executive.
- 4.7 All Members who sit on the Planning Committee and the Licensing Committee (including Hearing Panels) are appointed on the basis that all Members shall participate in the appropriate training, if they haven't already done so, before undertaking their duties and continue to participate in on-going training. This obligation extends to all appointed substitutes to these two Committees.

## **5. Appointments to Outside Bodies**

- 5.1 The Council may nominate representatives to Outside Bodies unless the appointment is a Cabinet Function or has been delegated by Council to a Committee or an Officer. In accordance with Article 4 of the Council's Constitution, Council is invited to make the appointments to the Outside Bodies as set out in Appendix B. The appointments are for the 2022/23 Civic Year only.

## **6. Financial Implications**

- 6.1 There are no financial implications arising out of the recommendations set out in this report.

## **7. Legal Implications**

- 7.1 Article 4 of the Constitution states that it is a function of Council to make appointments to Committees, unless the appointment is a Cabinet function or has been delegated by Council to a Committee or Officer. The recommendations set out in this report give effect to that provision.
- 7.2 The political balance rules can only be departed from if there is no dissenting vote at Council. Failure to comply would result in a breach of statutory duty which could be the subject of judicial review proceedings.

## **8. Other Implications**

- 8.1 There are no other implications arising from the recommendations set out in this report.

## **9. Equality and Diversity Implications**

- 9.1 There are no equality or diversity issues arising from this decision. The determination of the political proportionality on Committees is determined in accordance with the statutory provisions. Formally, it is a matter for Political

Groups to determine the membership of individual Committees within the proportionate allocation to the Groups.

**10. List of Appendices**

10.1 Appendix A – Council Committees

10.2 Appendix B – Outside Bodies

**11. Background Papers**

11.1 None

## Appendix A – Council Committees

<b>Committee</b>	<b>Size</b>	<b>Membership Appointments</b>	<b>Substitutes</b>
Planning Committee	13	<ul style="list-style-type: none"> <li>- Cllr J Abbott</li> <li>- Cllr J Beavis</li> <li>- Cllr K Bowers</li> <li>- Cllr H Johnson</li> <li>- Cllr D Mann</li> <li>- Cllr A Munday</li> <li>- Cllr I Parker (Vice-Chairman)</li> <li>- Cllr F Ricci</li> <li>- Cllr W Scattergood (Chairman)</li> <li>- Cllr P Schwier</li> <li>- Cllr G Spray</li> <li>- Cllr S Wilson</li> <li>- Cllr J Wrench</li> </ul>	<ul style="list-style-type: none"> <li>- Cllr T Cunningham</li> <li>- Cllr A Hensman</li> <li>- Cllr A Kilmartin</li> <li>- Cllr D Hume</li> <li>- Cllr P Thorogood</li> <li>- Vacancy (Lab)</li> </ul>
Licensing Committee	14	<ul style="list-style-type: none"> <li>- Cllr J Baugh (Chairman)</li> <li>- Cllr J Beavis</li> <li>- Cllr M Cunningham</li> <li>- Cllr P Euesden</li> <li>- Cllr S Hicks</li> <li>- Cllr H Johnson</li> <li>- Cllr T McArdle</li> <li>- Cllr Iona Parker</li> <li>- Cllr J Pell</li> <li>- Cllr S Rehman</li> <li>- Cllr B Rose (Vice-Chairman)</li> <li>- Cllr P Schwier</li> <li>- Cllr L Walters</li> <li>- Cllr B Wright</li> </ul>	<ul style="list-style-type: none"> <li>- Cllr D White</li> <li>- Vacancy (Cons)</li> <li>- Cllr J Sandum</li> <li>- Cllr A Munday</li> </ul>
Local Highways Panel	4	<ul style="list-style-type: none"> <li>- Cllr P Euesden</li> <li>- Cllr M Cunningham</li> <li>- Cllr R van Dulken</li> <li>- Cllr S Wilson</li> </ul>	N/A
Partnership Development Scrutiny Committee	9	<ul style="list-style-type: none"> <li>- Cllr J Abbott</li> <li>- Cllr J Baugh</li> <li>- Cllr G Courtauld (Vice Chairman)</li> <li>- Cllr M Cunningham (Chairman)</li> <li>- Cllr A Hensman</li> <li>- Cllr T McArdle</li> <li>- Cllr J Pell</li> <li>- Cllr L Walters</li> <li>- Cllr J Sandum</li> </ul>	N/A

<b>Committee</b>	<b>Size</b>	<b>Membership Appointments</b>	<b>Substitutes</b>
Community Development Scrutiny Committee	9	<ul style="list-style-type: none"> <li>- Cllr C Dervish</li> <li>- Cllr D Garrod (Chairman)</li> <li>- Cllr A Hensman</li> <li>- Cllr A Kilmartin</li> <li>- Cllr W Korsinah</li> <li>- Cllr J Pell</li> <li>- Cllr M Weeks</li> <li>- Cllr S Wilson (Vice Chairman)</li> <li>- Cllr B Wright</li> </ul>	N/A
Performance Management Scrutiny Committee	9	<ul style="list-style-type: none"> <li>- Cllr J Coleridge</li> <li>- Cllr G Courtauld</li> <li>- Cllr C Dervish</li> <li>- Cllr T Everard</li> <li>- Cllr M Radley (Chairman)</li> <li>- Cllr S Rehman</li> <li>- Cllr B Rose</li> <li>- Cllr P Schwier (Vice Chairman)</li> <li>- Cllr N Unsworth</li> </ul>	N/A
Governance and Audit Scrutiny Committee	9	<ul style="list-style-type: none"> <li>- Cllr P Euesden (Vice Chairman)</li> <li>- Cllr D Hume</li> <li>- Cllr D Mann</li> <li>- Cllr S Rehman</li> <li>- Cllr V Santomauro</li> <li>- Cllr J Wrench (Chairman)</li> <li>- Cllr D White</li> <li>- Cllr T Walsh</li> <li>- Cllr L Walters</li> </ul>	N/A
Standards Sub-Committee	6	<ul style="list-style-type: none"> <li>- Cllr M Cunningham</li> <li>- Cllr I Parker</li> <li>- Cllr J Pell</li> <li>- Cllr V Santomauro</li> <li>- Cllr R van Dulken</li> <li>- Cllr T Walsh</li> </ul>	N/A
Appointments Committee	6	<ul style="list-style-type: none"> <li>- Cllr G Butland</li> <li>- Cab Member</li> <li>- Cab Member</li> <li>- Cab Member</li> <li>- Cllr J Abbott</li> <li>- Cllr M Radley</li> </ul>	N/A

## Appendix B – Council Outside Body Appointments

<b>Outside Body</b>	<b>Description</b>	<b>Position held</b>	<b>Appointment</b>
Braintree District Access Group	The Group actively promotes “barrier free design “to create environments which are accessible and useable by everyone. The Groups seeks to see improvements for disabled residents through close liaison with the various relevant departments at Braintree District Council and Essex County Council.	Board Member	Cllr A Hensman
Braintree District and Eastlight Community Grant Panel	The Council and Greenfields Community Fund, set up by Braintree District Council and Greenfields Community Housing in 2016, provides local voluntary organisations and charities with the opportunity to apply for funding. Following the change from Greenfields to Eastlight, this group has been updated to reflect the current position. Grants are available to support organisations working in the Braintree District that either help to improve health and well-being, increase aspirations and opportunities, or develop skills through training.	Grant Panel Member	Cllr Rose Cllr L Walters Cllr P Tattersley
Braintree United Charities	Formed in 1899 by the amalgamation of seventeen smaller charities. It is administered by Trustees who are all local people, including the Vicar of Braintree and representatives of the Council. The Trustees meet twice a year to consider applications for modest grants.	Trustee	Cllr J Baugh Cllr Miss V Santomauro Cllr Mrs L Walters Cllr T Everard



<b>Outside Body</b>	<b>Description</b>	<b>Position held</b>	<b>Appointment</b>
Campaign to Protect Rural Essex	The Essex branch of CPRE protects the diversity of the Essex Countryside to ensure that it remains a special place to live.	Board Member	Cllr P Schwier
Dedham Vale and Stour Valley Advisory Committee	Established for the AONB project area to provide joint working with a number of other authorities, leading on key issues that affect the areas future, providing advice and guidance.	Committee Member	Cllr Mrs D Garrod Cllr Mrs W Scattergood
Earls Colne Airfield Liaison Committee	The committee provides an opportunity for local communities' representatives and stakeholders to discuss the operation of Earls Colne Airfield	Committee Member	Cllr G Courtauld
Earls Colne and Halstead Educational Charity	Formed in 1975 and is responsible for the distribution of grant funding for educational purposes.	Board Member	Cllr G Courtauld
Friends of Bocking Windmill	The windmill is a Grade I Post Mill built in 1721 and is owned and maintained by Braintree District Council. A local group Friends of Bocking Windmill are registered as volunteers to the Council to enable them to open the mill to the public on a number of occasions throughout the year.	Member of the Friends Group	Cllr T Everard
Friends of Halstead Public Gardens	Formed to oversee the upkeep and maintenance of the gardens, to help promote it and assist in organising events.	Member of the Friends Group	Cllr Mrs J Pell

<b>Outside Body</b>	<b>Description</b>	<b>Position held</b>	<b>Appointment</b>
Halstead in Bloom Partnership	Partnership working with Halstead Town Council, Essex County Council and Braintree District Council encourage pride in the environment and a desire to keep the local area clean, tidy and a pleasant place to live, work and visit.	Committee Member	Cllr J Pell
Maltings Lane Forum	The Maltings Lane Forum provides an opportunity for members of the community to discuss with the Developer and Local Authority key issues regarding the development of the Maltings Lane area of Witham.	Board Member	Cllr J Coleridge Cllr Korsinah
Notley Green Community Association	Formed to manage the Community Centre on behalf of Braintree District Council	Board Member	Cllr F Ricci
Rivenhall Playing Field Association	The Association was formed as a non-profit making organisation to foster and promote community organisations and activities by way of lettings of Rivenhall Village Hall and/or the Albert Moss Playing Field.	Board Member	Cllr J Abbott Cllr B Wright

**Agenda Item: 12**

<b>Report Title:</b> Leader's Announcements - Cabinet Update	
<b>Report to:</b> Council – Annual General Meeting	
<b>Date:</b> 25 <sup>th</sup> April 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/53
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> Kim Cole, Head of Governance and Monitoring Officer	

**1. Purpose of the Report**

- 1.1 To note the Leader of the Councils arrangements for Cabinet, including the responsibilities of Cabinet Members, and appointments to Cabinet Committees and Outside Bodies.

**2. Recommendations**

- 2.1 To note the following Cabinet Arrangements:
- 2.1.1 The appointment of the Cabinet Members and their assigned Portfolios as set out in Appendix A;
- 2.1.2 The appointments to Cabinet Committees as set out in Appendix B;
- 2.1.3 The Executive appointments to outside bodies as set out in Appendix C.

**3. Summary of Issues****3.1 Cabinet Appointments**

- 3.1.1 In accordance with the provisions set out in the Local Government Act 2000, the Leader of the Council, operating under Executive arrangements, is required to appoint Cabinet. In doing so the Leader shall determine the size and composition of the Cabinet, provided that the membership is no less than two and no more than ten Members and shall determine how the Executive Functions should be discharged.
- 3.1.2 On 13<sup>th</sup> December 2021, Council was informed that the Leader had revised the Cabinet Membership and Portfolios. Council is advised that there are no proposed changes to the appointments of Cabinet Members or their respective Portfolios. These are set out in Appendix A.

### **3.2 Appointments to Cabinet Committees and Working Groups**

#### **3.2.1 Local Plan Sub-Committee**

3.2.2 The Cabinet has one Sub-Committee, the Local Plan Sub-Committee, who are authorised to discharge specific executive functions. The membership of this Sub-Committee is determined by the Leader of the Council.

3.2.3 With effect from the date of the Council's Annual General Meeting, the Local Plan Sub-Committee membership shall be subject to the following change:

<b>Stepping Down</b>	<b>New Member</b>
Councillor Charley Dervish	Councillor Iona Parker

#### **3.3 Working Groups**

3.3.1 In addition, the Leader of the Council has established two Working Groups, namely the Developing Democracy Group and the Member Development Group. The memberships of both Working Groups have not been changed and the membership remains as set out in Appendix B.

### **4. Appointments to Cabinet Outside Bodies**

4.1 The Leader of the Council made a number of executive appointments to outside bodies. These appointments were for a period of four years, and therefore these appointments remain in effect. Full details of those appointments are set out in Appendix C.

### **5. Financial Implications**

5.1 There are no financial implications arising out of the recommendations set out in this report.

### **6. Legal Implications**

6.1 The recommendation set out in this report gives effect to the statutory provisions under the Local Government Act 2000.

### **7. Other Implications**

7.1 There are no other implications arising from the recommendations set out in this report.

### **8. Equality and Diversity Implications**

8.1 There are no equality or diversity issues arising from this decision.

### **9. List of Appendices**

9.1 None

## **10. Background Papers**

10.1 None

## **Appendix A - Portfolios of Individual Cabinet Members**

### **Corporate Priorities**

Listed below are the Council's Corporate Priorities for the district for 2020 to 2024.

- Connecting People and Places
- Enhancing our environment
- Supporting our communities
- Promoting prosperity
- Delivering and innovating

Full details of the [Council's Corporate Priorities](#) are published on the Council's website.

### **The Leader**

- Overall Vision and Strategic Direction
- Corporate Strategy
- Strategic Partnerships
- COVID 19 response
- Strategic Economic Growth
- Promotion of the District
- Communications
- External Relations
- Investment and Development Programme
- Electoral Administration
- Levelling-up
- To exercise the executive functions of any Cabinet Member in their absence, in an emergency or in any other circumstance where the Leader thinks it is desirable to act on any matter.

### **Cabinet Member for Economic Growth and Deputy Leader**

- Economic Development Strategies & COVID Recovery
- North Essex Economic Board & Regional Partnerships
- Business Engagement and Support
- Employment Site Strategy
- Inward Investment
- Digital Connectivity
- Town Centre Renewal Strategies and Improvements
- Specific Major Projects relevant to the Portfolio

### **Cabinet Member for Communities**

- Community Safety
- Welfare Reform
- Local Community Engagement
- Voluntary Sector
- Equality & Diversity
- Community Facilities and Support
- Community Transport

- External Funding
- Rural Communities
- Armed Forces Covenant
- Cycling Strategy
- Heritage Services
- Tourism
- Specific Major Projects relevant to the Portfolio

### **Cabinet Member for Finance and Corporate Transformation**

- Medium-Term Financial Strategy
- Financial and Treasury Management
- Customer Services
- Procurement
- Corporate Governance
- Member Support and Development
- HR and Organisational Development
- Health and Safety
- Risk Management
- ICT
- Digital Strategy
- Performance Management
- Specific Major Projects relevant to the Portfolio

### **Cabinet Member for Climate Change and The Environment**

- Climate Change
- Street Cleansing and Parks
- Landscapes and Countryside
- Building Control
- Environmental Health
- Emergency Planning

### **Cabinet Member for Health and Wellbeing**

- Health Improvement
- Health Partnerships
- Livewell Programme
- Emotional Health and Well-being
- Leisure Centres
- Sports Development
- Safeguarding
- Older People
- Children and Young People

### **Cabinet Member for Housing, Assets and Skills**

- Housing Development
- Housing Strategy
- Homelessness
- Affordable Housing Delivery
- Specific Major Projects relevant to the Portfolio

- Asset Management
- Enterprise Centre Portfolio and Strategy
- Skills & Education Improvement

#### **Cabinet Member for Operations and Commercialisation**

- Waste Strategy
- Parking & Highways
- Licensing
- Commercialisation and Income Generation
- Efficiency and Improvement Programme

#### **Cabinet Member for Planning and Infrastructure**

- Local Plan
- Development Management
- Planning Enforcement
- Landscape Services
- Infrastructure



## **Appendix B – Appointment to Cabinet Committees**

### **Sub-Committees**

#### **Local Plan Sub Committee**

- Cllr James Abbott
- Cllr Kevin Bowers
- Cllr Graham Butland
- Cllr James Coleridge
- Cllr Tom Cunningham
- Cllr Tony Everard
- Cllr David Hume
- Cllr Iona Parker
- Cllr Wendy Scattergood (Vice-Chairman)
- Cllr Gabrielle Spray (Chairman)
- Cllr Paul Thorogood
- Cllr Justin Wrench

### **Working Groups:**

#### **Developing Democracy Group**

- Cllr James Abbott
- Cllr Graham Butland (Chairman)
- Cllr Tom Cunningham
- Cllr David Mann
- Cllr John McKee
- Cllr Jackie Pell
- Cllr Mick Radley
- Cllr Gabrielle Spray
- Cllr Justin Wrench

#### **Member Development Group**

- Cllr Charley Dervish
- Cllr David Mann
- Cllr Frankie Ricci (Chairman)
- Cllr Peter Schwier
- Cllr Tom Walsh
- Cllr Sue Wilson

## Appendix C – Cabinet Appointment to Outside Bodies

Outside Body	Councillor/s
Braintree District Citizens Advice Bureau Management Board	Cllr Lyn Walters
Braintree District Local Highways Panel	Cllr Mary Cunningham, Cllr Paul Euesden Cllr Ricard van Dulken and Cllr Sue Wilson
Community Housing Investment Partnership Board (CHIP)	Cllr Wendy Schmitt
Community Safety Partnership	Cllr Frankie Ricci
District Council Network	Cllr Graham Butland
East of England Local Government Association (EELGA)	Cllr Graham Butland
Essex Flood Partnership Group	Cllr Wendy Schmitt
Essex Rural Partnership	Cllr Iona Parker
Essex Waste Partnership Board (formally Essex Inter-Authority Working Group (Waste and Recycling))	Cllr Richard van Dulken
Braintree Village Consultative Group	Cllr Tom Cunningham Cllr Justin Wrench
Great Notley Country Park – Joint Governance with Essex County Council (also known as Joint Governance – Great Notley Country Park Partnership Board)	Cllr Wendy Schmitt Cllr Frankie Ricci
Haven Gateway Partnership	Cllr Tom Cunningham
Local Government Association General Assembly	Cllr Graham Butland
Local Government Information Unit	Cllr John McKee
North Essex Parking Partnership Joint Committee	Cllr Richard van Dulken
Police and Crime Panel	Cllr Frankie Ricci (Cllr Graham Butland to deputise)
Stansted Airport Consultative Committee	Cllr Richard van Dulken
Superfast Essex Steering Board	Cllr Andrew Hensman
Youth Strategy Group	Cllr Peter Tattersley

**Agenda Item: 13**

<b>Report Title:</b> Annual Review of the Constitution	
<b>Report to:</b> Council – Annual General Meeting	
<b>Date:</b> 25 <sup>th</sup> April 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> Kim Cole, Head of Governance and Monitoring Officer	

**1. Purpose of the Report**

- 1.1 The Constitution sets out that the Monitoring Officer will monitor and review the operation of the Constitution annually to ensure that the aim and principles within it are given full effect and remain relevant and effective. This report sets out the Monitoring Officers review.

**2. Recommendations**

- 2.1 To approve the amendments to the Council's Constitution as identified in Appendix A.

**3. Summary of Issues**

- 3.1 The Council's Constitution sets out how the Council works, how decisions are made and the procedures that are followed to ensure these are efficient, transparent and the Council is accountable to local people. Some of these procedures are required by law, while others are a matter of choice for the Council.
- 3.2 In 2020/21 the Monitoring Officer, together with key stakeholders undertook and full and systematic review of the Constitution in order to ensure that the Constitution, in its entirety, was updated where necessary to reflect the current practices, ensure compliance with its statutory obligations and ensure that the Constitution remains a useable document for its Members, Officers and members of the Public. The updated Constitution was approved by Council at its Annual General Meeting on 19 April 2021.
- 3.3 In accordance with the provisions of the Constitution, the Monitoring Officer is required to monitor and review the operation of the Constitution annually to ensure that the aim and principles of the Constitution are given full effect. It is important that the Monitoring Officer is aware of the strengths and weaknesses of the Constitution adopted by the Council and is required to

make recommendations for ways in which it could be amended to better support the Councils Governance process.

- 3.4 The new Constitution has been in place for almost a year. During this time the Monitoring Officer has been monitoring its application and reflected on where further amendments might be needed to continue to build upon strengthening the Council's Governance arrangements. The proposals set out within this report were considered by the Council's Developing Democracy Group on 4<sup>th</sup> April 2022 and the Governance and Audit Scrutiny Committee on 6<sup>th</sup> April 2022.
- 3.5 The majority of the amendments being put forward as part of this annual review are minor changes to bring consistency to the document, ensure that cross referencing is accurate, and updates following changes to Officer roles and responsibilities. These changes are set out in Appendix A, which sets out proposed changes and provides an explanation for them. A full tracked change copy of the Constitution can be accessed on the Council's website by [clicking here](#).
- 3.6 The Council's previous Corporate Director (Finance) was also the Council's Section 151 Officer. Following the Corporate Director (Finance) retirement in February 2022, these roles were separated and arranged to be performed by the Corporate Director (Support Services) and Section 151 Officer. As a result, it is necessary to ensure that the references throughout the Constitution to either Corporate Director (Support Service) or Section 151 Officer are accurate and reflective of the roles and responsibilities held by the two individual roles. As a result, the Monitoring Officer, working with the new Corporate Director (Support Services) and new Section 151 Officer, has updated the references as necessary throughout the Constitution to ensure that they are reflective of the actual position.
- 3.7 The Council provides for members of the public to engage with the Council at the start of each of its meetings. Currently members of the public are able to bring a question to any meeting on any topic, provided it relates to a matter over which the Council has powers or duties, or which affects the District. Over the past 2 years the Council has seen an increase in members of the public participating in its meetings. This is most likely helped by the ability for the public to participate remotely, and something which the Council wishes to continue to allow following the covid restrictions being lifted nationally.
- 3.8 However it is important that the questions are brought before the right forum, so that the members of the public can receive a full and detailed response. In order to manage this provision, it is proposed that the Council update the public question time provision, so as to allow for members of the public to bring a question on any matter in relation to which the Council has powers or duties or which affects the District to either full Council or any of its Scrutiny committees. For all other meetings members of the public may ask questions on any matter listed on the agenda of that particular meeting. This will ensure that questions brought are timely, and relevant to the items under consideration.

- 3.9 Further to help with the administration of public question time, the Council will look to introduce an online form, which will be required to be completed in order to register for public question time. The benefit of an online form is that it will ensure that the Governance Team are provided with all the necessary information at the point of registration. This will stop the need to seek clarification on points and will make the whole customer experience more streamlined. To help ensure Members of the public are aware of the provisions, the agenda will be updated to contain guidance on the process and provide a link to the online form. It will also provide a telephone number so that those who do not have internet connection can register via that route if need be.
- 3.10 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:
- A high performing organisation that delivers excellent and value for money services;
  - Delivering better outcomes for residents and businesses and reducing costs to taxpayers.

#### **4. Options**

##### **4.1 Do nothing**

- 4.1.1 Whilst there is a requirement to undertake a review annually of the Constitution, the Council may consider that the changes are not necessary at this time. However, it is important to have a Constitution in place that is accurate and reflective of current practice, and that is useable by Officers, Members and the public. Therefore, this is not the recommended option.

##### **4.2 Update the Constitution**

- 4.2.1 In order to ensure that the Constitution is fit for purpose over the next 12 months it is important that it is accurate and reflective of the Council's practice, and that the roles and responsibilities are clear. Therefore, the updating the Constitution as part of the annual review is the recommended option.

#### **5. Financial Implications**

- 5.1 There are no financial implications arising out of the decision set out in this report.

#### **6. Legal Implications**

- 6.1 The Council is required to have in place a Constitution which sets out the Council's Procedure Rules, its Code of Conduct and any such information as the Council considers appropriate. The proposals set out in this report ensure that the Council complies with its statutory obligation and ensures that the

Constitution remains a useable document for its Members, Officers, and members of the Public.

**7. Other Implications**

- 7.1 There are no other implications arising out of the recommendations set out in this report.

**8. Equality and Diversity Implications**

- 8.1 The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

**9. List of Appendices**

- 9.1 Appendix A – Proposed amendments to the Constitution

**10. Background Papers**

- 10.1 Amended tracked changed Constitution

## Constitution Annual Update - 2022

Chapter	Reference	Proposed change	Reasons
<b>Chapter 1</b>	<b>The Articles</b>		
1.7	Changes to the Constitution	Any minor changes and routine updating of the Constitution shall be the responsibility of the Monitoring Officer. <del>All other C</del> changes to the Constitution will <del>only</del> be approved by the Council after consideration of the proposal by the Governance and Audit Scrutiny Committee.	For clarity
3.2	Management Structure	The following posts shall be designated as Chief Officers:  The Chief Executive The Corporate Director ( <del>Finance</del> <u>Support Services</u> ) The Corporate Director (Growth) The Corporate Director (Operational)	To reflect new appointments
3.3	Statutory Officers	(b) <del>Corporate Director (Finance)</del> <u>Head of Financial Services</u> - S.151 Officer (s.151 Local Government Act 1972)	To reflect the new appointment
6.2	Composition of Cabinet	<del>They</del> <u>Cabinet Support Members</u> shall not have decision making powers (executive or otherwise).	For clarity
6.6	Delegation of Functions	The Leader may make in year changes to the <u>Cabinet Member</u> scheme of delegation as set out in Chapter 4 of this Constitution, and shall inform the Chief Executive in writing in advance of making any change. Any change to the scheme of delegation must be reported to the next meeting of Cabinet.	For clarity
8.2	Functions of the Planning Authority	The Planning Committee shall perform the <del>following</del> functions <del>, in accordance with set out in</del> the Scheme of Delegation <del>contained in set out in</del> Appendix D of Chapter 4 of this Constitution <u>and shall be responsible for</u> :  <del>1. To authorise or determine:-</del>  <del>(i) Planning obligations;</del>  <del>(ii) All matters concerning public path orders required as a result of planning legislation;</del>	To reflect current arrangements and link with the scheme of delegation set out in Chapter, Appendix D

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|  | <p><del>(iii) — Advertisement consents;</del></p> <p><del>(iv) — Conservation area consents and notices;</del></p> <p><del>(v) — Revocation or modification of planning consents by order under planning legislation;</del></p> <p><del>(vi) — Any enforcement action including in respect of advertisement contraventions;</del></p> <p><del>(vii) — Tree preservation orders;</del></p> <p><del>(viii) — Consent to carry out all work to protected trees;</del></p> <p><del>(ix) — Listed building consents and notices;</del></p> <p><del>(x) — Direct action by execution of works, taking steps and/or carrying out operations by or on behalf of the Council under any planning</del></p> <p><del>(xi) — legislation, including the recovery of any costs or expenses;</del></p> <p><del>(xii) — Legal proceedings in respect of any breach of planning obligations;</del></p> <p><del>(xiii) — Any other notices, orders, certificates, demands, permissions, consents and grants under planning legislation;</del></p> <p><del>(xiv) — Observations, comments and representations on development proposals being determined by other bodies and/or in adjoining or neighbouring administrative areas.</del></p> <p><del>(xv) — Matters relating to Highways in respect of planning matters.</del></p> <p><del>(xvi) — Representation of the Council in any appeal against determination of a Planning application</del></p> <p>(b) To exercise the Council's statutory duties in respect of the Building Regulations and associated legislation.</p> |  |
|--|---|--|



		<p>(c) To do anything which is incidental, conducive or calculated to facilitate any of the Committee's functions or which are necessary for the discharge of those functions.</p> <p>(d) To exercise all powers, duties and functions of the Council contained within or referred to in statutory provisions from time to time in force within the terms of reference of this Committee.</p> <p>(e) So far as the responsibilities may arise under the relevant legislation, functions set out in Part A of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended relating to other town and country planning and development control functions.</p>	
8.4	Other Committees	<p><b><u>The Appointment Committee</u></b></p> <p><u>The Appointment Committee will perform the duties and responsibilities as set out in the Officer Employment Procedure Rules.</u></p> <p><u>The Appointments Committee will comprise of the:</u></p> <ul style="list-style-type: none"> <li>- <u>Leader of the Council,</u></li> <li>- <u>Leader of the Opposition</u></li> <li>- <u>The Chairman of the Performance Management Scrutiny Committee; and</u></li> <li>- <u>three Cabinet Members relevant to the appointment being made.</u></li> </ul> <p><u>The Cabinet Member Appointment Committee members will be appointed by the Leader.</u></p> <p><u>For the appointment of the Chief Executive/Head of Paid Service, the above membership shall be amended by the Council to ensure that there is representation of all political groups within the membership.</u></p>	To bring in decision of Council
10.4	Delegation to and from other Local Authorities	<u>Where the Council has entered in Joint Committee arrangements these are listed at paragraph 23.3.</u>	To sign post the reader
<b>Chapter 2</b>	<b>Procedure Rules</b>		
<b>12</b>	<b>Council Procedure Rules</b>		

12.4	Time and Place of Meetings	No alterations to the dates or times of Ordinary Meetings of the Council shall take place, unless the Chairman, after consultation with the Chief Executive <del>and the Group Leaders</del> , determines that it is necessary to either cancel a meeting or establish an alternative date or time. In such instances all Councillors will be notified by email, and notice of the changes will be on the Councils website.	Current practice is to only seek Chairman approval, so amended to reflect current practice
12.5	Duration of Meetings	Where this Procedure Rule is suspended, the Council will deal with the remaining business in the order set out in the agenda or continue to sit for a specific period of time. In such circumstances, priority will be given to any item of business that the Council is legally obliged to consider at that meeting.  Any business not concluded during the extended period will be considered at the next meeting of Council, <u>save for Cabinet's Report to Full Council. Any Member wishing to ask a question under this item will be invited to submit their written questions in accordance with the Written Member Questions procedure under 15.27</u>	To reflect current practice
12.11	Public Question Time	At every meeting of the Council there shall be a period of up to 30 minutes to enable members of the public to ask questions.  <u>At full Council and any of its Scrutiny Committees members of the public may ask questions</u> on any matter in relation to which the Council has powers or duties or which affects the District.  <u>For all other meetings members of the public may ask questions on any matter listed on the agenda of that particular meeting.</u>  <del>The Planning Committee, at</del> the Chairman's discretion, <del>may allow</del> additional time <u>may be to be</u> allocated to public question time.	To manage public expectations and ensure questions are brought through the appropriate forum.
		The Leader, relevant Cabinet Member or Chairman of the relevant Committee will respond to the question or statement orally or where a response cannot be provided at the meeting, a written response will be provided within <del>105</del> working days of the meeting.	To bring consistency to the deadlines. This was agreed as part of the rewrite and appears to have been missed off
		This rule does not allow Members of the Council to register as a public speaker <u>as there are alternative forums through which the Member could raise a question to the Council. However, where the Member is not participating in the meeting, they may be able to register in their private</u>	For clarity

		<u>capacity or as a Ward Member were appropriate.</u>	
12.13	Questions to the Leader and the Cabinet	A period of up to 1 hour shall be allowed for this item on the agenda; <u>unless this is not possible by virtue of paragraph 12.5, in which case the time permitted shall be equivalent to the remaining time for the meeting.</u>	To bring in clarification on the approach
12.17	Motions	Such notices may be submitted in person, <u>by 5:30pm</u> by post or electronic mail 9 clear working days before the meeting of Council.	To clarify the deadline
12.23	Substitute Members	<u>For the avoidance of doubt, there is no other general provision for Substitute Members at any other committees.</u>	Point of clarification. This was agreed as part of the previous Constitutional review and was felt necessary to capture that agreement.
<b>13.</b>	<b>Cabinet Procedure Rules</b>		
13.11	Matters of Urgency	Where an urgent decision has been taken, the decision taker shall take a report setting out the nature of the decision taken, the reasons for the urgency and details of the actions taken, to the next <del>Cabinet</del> <u>Council</u> meeting.	To reflect actual practice and requirements of the Access to Information Procedure Rules
		This provision will <del>not</del> apply to a Key Decision. The Leader may only take an Urgent Key Decision if the provisions as set out in paragraph 15.17 of the Access to Information Procedure Rules have been followed.	Typo
<b>15</b>	<b>Access to Information Procedure Rules</b>		
<u>15.27</u>	<u>Written Member Questions</u>	<u>A Member may ask the Leader or a Cabinet Member any question on any matter in respect of which the Cabinet has powers or duties, or which affects the District.</u>  <u>A Written response will be provided within 10 working days.</u>  <u>A copy of the question and its response will be circulated to all Members for their information.</u>	New section, to bring clarity to current practice
<b>16.</b>	<b>Financial Procedure Rules</b>		

			Following the separation of the Corporate Director and S.151 Officer roles, changes needed to ensure clarity on authority and responsibilities.
16.8.3	Work for Third Parties	Corporate Directors and Heads of Service must ensure that work undertaken for third parties is approved <u>by Cabinet in accordance with the financial limits imposed for expenditure</u> and is covered by a suitable contract or agreement so that the responsibilities of each party are clear.	To ensure decisions taken at the appropriate level
<b>Chapter 3</b>	<b>The Codes and Schemes</b>		
20.	Member Allowance Scheme		Update to allowances following staff annual pay award
20.2	Basic Allowance	With effect from <u>25 April 2022</u> , all Councillors will be entitled to receive a Basic Allowance of £5, <del>065.28</del> <u>154.00</u> per annum, subject to the provisions of this Scheme.	Annual update
<b>Chapter 4</b>	<b>The Functions and Responsibilities</b>		
25.	Officer Scheme of Delegations		Following the separation of the Corporate Director and S.151 Officer roles, changes needed to ensure clarity on authority and responsibilities.
Appendix D	Planning Scheme of Delegation	(d) Where the Applicant <u>or Agent</u> is an employee or Member of Braintree District Council. (e) Where the Applicant or Agent is related to an employee within the Planning Department (Development Management or Planning Policy) (change from Braintree District Council) or a Member of Braintree District Council	To bring in consistency between points (d) and (e)