

Minutes

Council Meeting

6th December 2010



Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	M J Banthorpe	Yes
Miss L Barlow	Apologies	J Baugh	Yes
Mrs J C Beavis	Yes	D L Bebb	Yes
E Bishop	Yes	R J Bolton	Apologies
G Butland	Yes	G Cohen	Yes
J C Collar	Yes	M Dunn	Yes
Mrs E Edey	Yes	J G J Elliott	Yes (from 8.30pm)
R Elliston	Yes	Dr R L Evans	Yes
A V E Everard	Apologies	J H G Finbow	Yes
Ms L B Flint (Vice Chairman)	Yes	T J W Foster	Yes
M G Gage	Yes	Mrs B A Gage	Apologies
Mrs M E Galione	Yes	J E B Gyford	Yes
N R H O Harley	Yes	Mrs S A Howell	Yes
P J Hughes	Yes	D L Hume	Yes
M C M Lager	Yes	S J Lambourne	No
E R Lynch	Yes	M Lynch	Yes
D Mann	Yes	T McArdle	Yes
N G McCrea	Yes	J McKee	Yes
H Messenger	Apologies	A M Meyer	Apologies
R G S Mitchell	Yes	Mrs J M Money	Yes
Lady Newton	Yes	J O'Reilly-Cicconi	Yes
Mrs A Olumbori	No	Mrs J A Pell	Yes
R Ramage	Yes	D M Reid	Yes
D E A Rice	Yes	Mrs C Sandbrook	Yes
Mrs W D Scattergood	Yes	Mrs J W Schmitt	Yes
A F Shelton (Chairman)	Yes	Mrs L Shepherd	Yes
C Siddall	Yes	Mrs J A Smith	Yes
Mrs G A Spray	Apologies	F Swallow	Yes
Miss M Thorogood	Yes	S M Walsh	Apologies
R G Walters	Yes	T S Wilkinson	Apologies

The Chairman welcomed all Councillors to the meeting and extended a warm welcome to any public and press present at the meeting, and those viewing on the webcast.

At the commencement of the meeting the Chairman was pleased to make a presentation to Peter Crofts, Corporate Director, who is retiring after 27 years with the Council. Mr Crofts had responsibility for infrastructure and economic growth in the District, led the Charter Mark Award received by Braintree District Council in 1993, and awarded three further times to the Council; and was influential to major development in the District at Freeport and Chapel Hill in Braintree, the Grove Centre in Witham; and on the former Courtaulds site in Halstead.

Councillor Butland, Group Leader of the Conservative Party paid tribute to Peter and wished him a long and happy retirement. Reference was made to the extensive knowledge and professionalism of Peter, and the ability to seek solutions in difficult situations.

Councillor Mann, on behalf of the Labour Group, extended best wishes for a happy retirement, and on the many years he had known Peter, and the challenging periods during the Grove Centre development and for the introduction of wheelie-bins. It was advised that Councillors had appreciated Peter's knowledge, his sense of humour and wise counsel.

Councillor M Gage, Group Leader of the Halstead Residents' Association stated he had known Peter for many years as a professional officer, who had become a friend. Peter was a former resident of Halstead and he was wished a long and happy retirement.

Councillor Abbott, Group Leader of the Green Party, advised he had also known Peter over a long period, especially during matters on planning and the sustainability agenda. Peter was wished well for the future.

In response, Peter Crofts, thanked Councillors and colleagues for the presents and comments; and looked forward for spending more time with family and at football.

39. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred to the following issues:-

Essex Summer of Art 2010 – On 27th October 2010 the Chairman attended the unveiling of the Essex Legacy Art Relay Baton, an accumulation of Essex artist's work representing 14 Art Trails, created on a continuous 20 metre artwork scroll depicting the character of their locality. The Chairman considered the Braintree artist's best portrayed their parts of the District, and it is hoped the Braintree section will be available to display in the future.

George Yard Community Carols – Members were advised of Community Carols in George Yard, Braintree at 2.00pm on 11th December 2010.

Long Service Awards – On 2nd December 2010, the Chairman was pleased to present Long Service Awards to staff. A total of 69 staff were eligible for an Award, and ranged between 10 years and 50 years service to the Council – that results in 1,270 years worth of skills, knowledge and experience.

Battle of Britain – 70th Anniversary – The Chairman had pleasure in joining members of RAFA on 20th November 2010 to commemorate the 70th Anniversary of the Battle of Britain. The area has active, successful local branches of the Association, especially for their welfare work.

Coggeshall Old People's Welfare Association – The Chairman reported that he had represented the Council at the Association's Christmas Lunch earlier on 6th December 2010, with approximately 80 older people in attendance. The strong community spirit of Coggeshall was referred to, and other engagements with Youth Clubs (that attracts 30 volunteers) holding their events in local churches – enabling use of the buildings for worship and activities.

Engagements of Chairman and Vice Chairman – The list of engagements attended by the Chairman and Vice Chairman between 27th September and 6th December 2010 was noted.

40. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

- Councillor Mrs J A Pell declared a personal interest in Agenda Item 7 – Report of the Task and Finish Group – Public Service Provision for Older People as a Trustee of Halstead Day Centre, who had been consulted on the report.
- Councillor Butland declared a personal interest in Agenda Item 6 – Notice of Motion, Maternity Services in Braintree as he is Chairman of the Essex Health Overview and Scrutiny Committee.
- Councillor Lady Newton declared a personal interest in
 - (i) Agenda Item 6 – Notice of Motion, Maternity Services in Braintree as a non-Executive Director of NHS Mid Essex, and
 - (ii) Agenda Item 8(i) – Reference from Cabinet on Community Halls, Refurbishment of 19/21 Bocking End, Braintree as her husband is President of the Braintree and Bocking Community Association (BBCA) who are involved in the project.
- Councillor Walters declared a personal interest as a Member of Essex County Council for the item in Private Session in relation to an urgent decision taken by the Chief Executive.
- Councillor Baugh declared a personal interest in Agenda Item 8(i) – Reference from Cabinet on Community Halls, Refurbishment of 19/21 Bocking End, Braintree as he is a Member of the Essex Overview and Scrutiny Committee who had been involved with community halls, and he also has helped in the Youth Club situated on BBCA premises.
- Councillor McArdle declared a personal interest in Agenda Item 8(i) – Reference from Cabinet on Community Halls, Refurbishment of 19/21 Bocking End, Braintree as the Council representative on the BBCA, and has been involved with activities at the Association.
- Councillor Abbott declared a personal interest in Agenda Item 8(v) – Reference from the Local Development Framework Panel as he is Chairman of Rivenhall Parish Council who had made representations on the LDF.
- Councillor Foster declared a personal interest as a customer of Barclays Bank, to which he made reference under Question Time (Agenda Item 10 (ii))

In accordance with the Code of Conduct all Members remained in the meeting for these items, unless stated otherwise, and took part in the debate and decision thereon.

41. **MINUTES**

DECISION: That the minutes of the meeting of Council held on 27th September 2010 be approved as a correct record and signed by the Chairman.

However, a Point of Order issue was raised by Councillor E R Lynch in relation to a question he wished to ask under Minutes of Meetings held in Public Session (Minute 37(iv) refers) at that meeting and the Cabinet minutes of 13th September 2010. At the Council meeting on 27th September 2010 his question had been ruled as an operational matter in accordance with the Council's Constitution and therefore not for discussion. Councillor Lynch, considered that Agenda Item 10(iv) Matters from Public Meetings allows for the type of question he was attempting to ask; and requested that the Chairman makes a definitive ruling.

Councillor Shelton, Chairman of the Council stated that only the accuracy of the minutes of Council on 27th September 2010 was currently being considered and that the outcome of this issue will be reported to the next Council meeting on 14th February 2011.

42. **QUESTION TIME**

INFORMATION: There were three statements made, a summary of which is contained in the Appendix to these Minutes.

43. **NOTICE OF MOTION**

Councillor E R Lynch moved the motion as stated in the Agenda for the Council to reject the proposal to stop overnight stays for maternity provision as contained in the NHS Mid Essex discussion paper, and this was seconded by Ms M Thorogood.

Councillor Butland moved an amended Motion that had been circulated to all Councillors and this was seconded by Councillor Lager.

Councillor Lynch accepted the amended Motion as it strengthened the case for maintaining maternity services in Braintree.

Reference was made to the discussion paper and that consultation had been undertaken through Primary Care Trust (PCT) members – that only one Braintree Councillor could bring influence to. At present at the William Julien Courtauld hospital (WJC) parents are allowed to stay 24 hours following birth of their baby, whereas the new facility will require new mothers to go home within four hours of giving birth. Therefore, if a baby arrives at 10.00pm, mother and new born will be expected to go home at 2.00am, as the full service is only open 8.00am to 8.00pm.

Councillor Lynch made reference to the previous shutdown of maternity services in 2004 at the WJC (as quoted by Mrs Walton in Question Time) and that a protest march took place, and residents and the local M.P was involved. The support of the press in 2004, and on this occasion was noted; and Councillor Lynch moved the amended motion again and requested it be submitted to the PCT, the Essex Health Authority and the local M.P's. Other Councillors supported the motion and the need for 24 hour care, and urged further input by residents and Councillors at any consultation event.

A vote on the amended motion was taken and it was CARRIED; and on putting the substantive motion to the vote this was also CARRIED.

DECISION: That the following Motion be approved –

'This Council, while welcoming the maternity discussion paper rejects the proposal to stop any overnight stays at the new facility on the new site at the Old Day Hospital at this time.

It is delighted that the community midwifery service will be accessible in Braintree 24 hours a day, 365 days a year and those women in Braintree with straightforward pregnancies will be able to have their babies at home or in the Braintree birthing unit at any time, 24 hours a day.

The Council notes however that there is some concern locally about the proposal to instigate early discharge.

The Council accepts that some women will wish to return home at the earliest opportunity but it has concerns that for some new mothers this could be a potentially frightening experience, even after a straightforward birth.

The Council notes that there is no published evidence quoted in support of the proposed early discharge arrangement. It will also need to be convinced, as indeed will the health

commissioners, that the community maternity services will be able to provide the high quality post-natal care and support that is required.

The Council is therefore unable to support, at this time, the specific proposal to withdraw the facility for overnight stays'.

44. **REPORT OF TASK AND FINISH GROUP – PUBLIC SERVICE PROVISION FOR OLDER PEOPLE**

Councillor R Ramage, Chairman of the Public Service Provision for Older People Task and Finish Group, presented the report on the Group's findings. It had been recognised at their initial meeting in February 2010 that the Task and Finish Group had a vast topic area and decided to focus on elements that can make a difference. Meetings with key representatives had identified the community needs of older people and that support was required for them to stay active into old age, and the challenges involved. The over 65 year old category is expected to reach 42,700 by 2030 in the Braintree District. Reference was also made to various accesses to information routes, including that 62% of people over 65 years do not internet access. Further references to Decent Homes Standards, the provision of a handyman service, and for use of community transport were all noted.

Councillor Ramage thanked colleagues on the Task and Finish Group and Council Officers for their support and commitment.

Councillor Gyford referred to the Age Concern Essex reference in the report, and specifically the provision of accessible toilet facilities to a good standard and security. This item had been omitted from the recommendations of the Group and an amendment was moved– that would be referred to Cabinet for consideration. Councillor Ramage agreed to this addition, and moved all recommendations.

Councillor M G Gage highlighted the need for Councillors to be involved with Task and Finish Group work in the future, and praised the outcome of this Group.

DECISION:

- (1) That Recommendation 2) of the Task and Finish Group be amended and referred to Cabinet

'Ensure the needs of older people are considered into the planning and design of public places, for example ensuring there is adequate seating available in town centres, and equally toilet facilities should be easily accessible, of a good standard and secure'.

- (2) That the report of the Public Service Provision for Older People Task and Finish Group be noted, including the amendment above, and be referred to Cabinet on 31st January 2011 for consideration

45. **POLICY RECOMMENDATIONS AND REFERENCES (PUBLIC SESSION)**

Cabinet – 22nd November 2010

- (i) Community Halls - Refurbishment of 19/21 Bocking End, Braintree

Councillor Siddall, Deputy Cabinet Member for Clean, Green and Safe, presented the recommendation regarding refurbishment of the Council-owned property at 19/21 Bocking End, Braintree.

It was clarified that a large room would be included in the refurbishment to accommodate activities for the BBCA, and that overall provision of space would be equivalent to their existing site.

A query was raised as to why the BBCA present premises in Victoria Street, Braintree could not be rebuilt on site as it is accessible to users being adjacent to the bus station and located in the town centre. It was advised that this would compromise the town centre development behind the Town Hall in Braintree and impact on costs, whereas the Bocking End site fits the needs of the BBCA. It was noted that the report contains detail of this.

DECISION: That the capital allocation of £450,000 be approved for the refurbishment of 19/21 Bocking End, Braintree in order that the Braintree and Bocking Community Association is relocated under the terms of their current lease.

(ii) Financial Procedure Rules

Councillor Lager, Cabinet Member for Efficiency and Resources, referred to the revised Financial Procedure Rules and moved recommendation for their adoption, and for the Council's Constitution to be amended.

Councillor Gyford queried whether Item 2.3(a) in the report should quote a calendar date for the budget strategy being submitted to Cabinet – instead of 'prior to the commencement of the annual budget cycle'. In answer, Councillor Lager did not consider this necessary.

DECISION:

1. That the revised Financial Procedure Rules be adopted by Council for inclusion in the Council's Constitution.
 2. That the Monitoring Officer be authorised to make the necessary amendments to the Constitution.
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(iii) Proposed Changes to the Petitions Scheme

Councillor Butland, Leader of the Council, presented the revised process for dealing with petitions.

Councillor Abbott raised issues regarding elected Members not being able to present or organise petitions; that any Member should have the ability to move a motion for action on the petition, and whether the changes would retrospectively effect the decision of the Overview and Scrutiny Committee of 27th October 2010. Councillor Butland explained that the revised process relates to petitions brought forward by the public, and does not restrict Members in organising a petition or submitting a Notice of Motion, making a statement to the Council or submitting a Written Question. The proposing of a motion at Council by the Portfolio Holder will be voted upon and determined by all Councillors present. With regard to the Appeal Process received at the Overview and Scrutiny Committee, this was determined by the rules applicable at that time.

DECISION:

1. That the changes proposed by the Local Government Reform Sub-Group be incorporated into the Petitions Scheme.
 2. That the Monitoring Officer be authorised to make the necessary amendments to the Constitution and Petitions Scheme.
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(iv) Decision Making Arrangements

Councillor Butland referred to Mr Roll's statement in Question Time, and advised that consultation on the Strong Leader/Elected Mayor model had appeared on the Council website, and in the local press. However, the Council did adhere to Government advice that widespread engagement was not required as there are Government proposals for change in the Localism Bill. Therefore, the Strong Leader model was proposed until the Bill is implemented.

Councillor Gyford made an observation on what he saw as an overall weakening of the backbencher's role and an ability to challenge the strong leadership that would result from proposals to reduce the number of Committees. Councillor Butland agreed accountability was important and believed this would be possible post-election and suggested a cross-party discussion be held to determine a process to hold the Cabinet to account.

Two further comments were made by Members, regarding the opportunity for residents and local Councillors to raise concerns through a local forum that will be considered by Cabinet; and for all local press publications to be utilised in consultation processes to ensure full district and cross boundary contact.

DECISION:

1. That the Strong Leader model be adopted.
2. That the implementation date is 8th May 2011.
3. For the avoidance of doubt, that the Leader elected under the current arrangements shall be the Leader for the purposes of the Strong Leader model until the Annual General Meeting on 26th May 2011.
4. That the Monitoring Officer be authorised to make the necessary amendments to the Constitution in order to implement the Strong Leader model.

Local Development Framework Panel – 1st December 2010

(v) (a) Planning Legislation - Impact on the Core Strategy

Councillor McCrea, Chairman of the Local Development Framework Panel, presented the minute extract regarding the Council's Core Strategy and compliance with the Regional Strategy in relation for gypsy and traveller accommodation.

DECISION: That no changes be made to the Core Strategy Submission Draft despite the recent High Court decision that Regional Spatial Strategies have not been abolished.

(b) Addendum of Focused and Minor Changes to the Braintree District Core Strategy Submission Draft – Consultation October 2010

Councillor McCrea presented the minute extract.

Councillor Abbott referred to key consultation processes and on localism, the Big Society and opportunity for views of the public. An example was stated of Silver End residents, local Parish Council and Ward Members who had requested reference for a museum in Silver End to be included in the draft submission, and it had not been re-instated.

Councillor McCrea responded to this and further advised that the museum issue would be covered later in the process, in the Master Plan, together with a similar provision in Sible Hedingham.

DECISION: That the comments submitted following public consultation on the Addendum of Focused and Minor Changes be noted and Officers authorised to submit the Core Strategy Submission Draft, plus the Focused and Minor Changes, to the Secretary of State.

46. **STATEMENTS BY MEMBERS (PUBLIC SESSION)**

INFORMATION: No statements were made.

47. **QUESTION TIME (PUBLIC SESSION)**

(i) **Reports from the Leader and Cabinet Members**

INFORMATION: Consideration was given to the written reports of the Leader and Cabinet Members.

Councillor Butland, Leader of the Council

The Leader of the Council provided a detailed statement at the meeting. Reference was made to the Cabinet reports of 7th December 2010 and the Council's task to find **£1.5m savings** through greater efficiencies and merged services. The grant settlement from Government had not been received and figures had been produced using current data. The challenges for the Council over the next four years and to grasp all opportunities – whilst making savings and protecting services – are to be explored. Councillor Butland had met with the Leader of Colchester Borough Council, Councillor Turrell with the proposal for a joint Chief Executive, between the two Councils and to explore the benefits and risks for a joint management structure also. It was emphasised there would be no merging of Councils and a report on the management options will be received at Cabinet on 31st January 2011.

At Cabinet on 7th December 2010 it will be reported of a project being developed between Braintree District Council, Brentwood Borough Council and Essex County Council for a **combined Regulatory Service**, including environmental health functions and Trading Standards. This forms part of the Council's proposals for shared services, changes to structures and promoting more partnerships with the public.

The Leader also advised of a proposed **Memorandum of Understanding** between Braintree District Council, Brentwood Borough Council and Essex County Council for working together to achieve greater efficiencies.

On 11th November 2010 a meeting had been held between Leaders of County and Borough Councils in Essex, with Essex County Council members to promote a strong commitment collectively across the county for the changing and challenging times ahead in local authorities. An update to this will be provided at a **Members Evening** to take place in January 2011.

Other information included an Essex County Council initiative on Healthy People – to be delivered at a local level; the impact of the Localism Bill on how planning issues are dealt with, and the role of Planning Committees, neighbourhoods and planning policy; and on social housing.

There were no questions to the Leader's report.

Councillor Lady Newton, Housing and Well-Being

Councillor Lady Newton had no further additions to her report.

With regard to **Mill Lane Bowls Club in Witham**, Councillor Dr Evans queried if it was only the management being transferred, not including the green. Councillor Lady Newton confirmed it was the entire facility.

Councillor Mrs Schmitt, Clean, Green and Safe

Councillor Mrs Schmitt extended her congratulations to Council staff who had worked hard to ensure the local town centres in the district remained open and accessible in the recent bad weather.

Councillor Dr Evans expressed his congratulations on the success of the Green Heart initiative, and the imposition of fines through Environmental Enforcement. A query was raised regarding the project under Community Development for **Witham Public Hall**. This was clarified as being for decorating of the hall.

Councillor E R Lynch referred to '**Speedwatch**' initiatives, and advised that from 1st April 2011 a charge of £200 per year is to be introduced for the groups/residents running their local 'Speedwatch'. He believed that the Council should oppose this charge. Councillor Mrs Schmitt stated that the Police are to meet every Group in January 2011, and advised waiting until this time.

Councillor Mrs Galione reported that her local Parish had not received their **Spring bulbs**, and queried if planting would need to be delayed until the Autumn. It was clarified that bulbs can still be planted during January and February.

Councillor Walters, Environment and Sustainability

Councillor Walters also paid tribute to Council staff – refuse staff – who had worked hard during the inclement weather.

Councillor Dr Evans referred to the **Solar Energy** reference in the report, and a 20 acre solar pv panel array at Big Deere Lodge Field, Church Street, Belchamp St Paul; and continued to question the estimated output of the facility. Councillor Walters advised he would provide a written reply to all Councillors.

Councillor E R Lynch queried the role of the Highways Authority and their policy for **gritting of bus routes** during cold weather and why Beckers Green Road in Braintree had been omitted. It was agreed that Councillor Lynch would contact Councillor Walters by email, as the issue was an ECC matter.

Councillor Harley, Enterprise and Culture

Councillor Harley had no further additions to his report.

Councillor Mrs Pell made reference to the **Three Towns Development** and requested that local Ward Members are advised of the new owners of land east of the High Street, Halstead before any announcement is made. Councillor M Gage also supported this request and stated that confidentiality will be maintained. Councillor Harley noted the requests.

Councillor Abbott considered the report on the **Braintree Loop** as disappointing, and urged Members and Officers to continue pressure. Councillor Harley also expressed his disappointment to the news that initial findings of

the study had reported that while it is feasible, it could only accommodate trains operating out of the rush hour, due to scheduling complications at the main line at Witham. However, a meeting with Network Rail is planned and the Council will continue to maintain pressure.

Councillor Mrs Beavis, Customers and Community Support

Councillor Mrs Beavis had no further additions to her report, and there were no questions raised.

Councillor Lager, Efficiency and Resources

Councillor Lager had no further additions to his report.

Councillor Dr Evans referred to the last Council meeting, and the encouraging news that **Mayland House in Witham** may have a prospective buyer, and continued to request an update on the current position.

In response, Councillor Lager stated that negotiations are continuing, and will be brought to a conclusion. However, it was reported that the Council had removed the furniture from Mayland House, with a result of costs decreasing from £30,000 to £21,000 per month.

(ii) Oral Questions

INFORMATION: Members were invited to ask any questions of the Leader on non-operational matters and the following questions were asked: -

Councillor Foster reported that Barclays Bank is proposing to close their branch in Kelvedon that serves residents and businesses in the Kelvedon, Feering and Coggeshall areas. This would result with people having to travel to Witham or Tiptree to transact their business.

In response, Councillor Butland agreed this is unfortunate for local people, and that many large organisations are leaving rural areas. He agreed to write with Councillor Foster to Barclays Bank advising of the disquiet shared as a Council, the local views, and to query other arrangements or ways of banking can be transacted in Kelvedon and include how older people without transport can reach another bank.

(iii) Chairmen's Statements

INFORMATION: No statements were made.

(iv) Meetings in Public Session

INFORMATION: Members were invited to raise any matters arising from meetings that had been held in public session since the last Council meeting on 27th September 2010.

Councillor Hughes referred to the meeting of the Overview and Scrutiny Committee held on 27th October 2010, and Minute 39 – Petitions Process, Appeal, Silver End Village Hall, Councillors Abbott and Hughes. The decision stated that a scrutiny review would be instigated and it was questioned when this would take place.

Councillor M G Gage, Chairman of the Overview and Scrutiny Committee, advised he would respond on this issue over the next few days.

48. BUSINESS OF EXTERNAL ORGANISATIONS

INFORMATION: There were no reports received from Council representatives on external organisations.

At the close of Public Session the Chairman, on behalf of the Council, wished everyone a Happy Christmas and prosperous New Year.

Exclusion of Public and Press: -

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph 3 of Part 1 of Schedule 12(A) of the Act.

Although the following items were taken in Private Session the Minutes do not contain any confidential information and are therefore admissible in the public domain.

PRIVATE SESSION

49. **STATEMENTS BY MEMBERS - PRIVATE SESSION**

INFORMATION: No statements were made.

50. **QUESTIONS BY MEMBERS - PRIVATE SESSION**

(i) **Reports from the Leader and Cabinet Members**

INFORMATION: There were no further reports.

(ii) **Oral Questions**

INFORMATION: No questions were asked.

(iii) **Chairmen's Statements**

INFORMATION: No statements were made.

(iv) **Minutes of Meetings (Private Session)**

INFORMATION: Members were invited to raise any matters arising from meetings that had been held in private session since the last Council meeting on 27th September 2010. No issues were raised.

51. **POLICY RECOMMENDATIONS AND REFERENCES (PRIVATE SESSION)
& URGENT DECISION BY THE CHIEF EXECUTIVE**

Local Development Framework Panel – 1st December 2010

Proposed Purchase of Land

Consideration was given to the minute extract advising that ownership of a property on a busy road junction in Braintree would facilitate a Highways improvement scheme to improve traffic flows and junction access.

The opportunity for the Council to purchase the property would allow for the highway to be

widened allowing HGV movements, two way traffic, and removal of traffic lights.

Urgent Decision by the Chief Executive

The Leader of the Council presented details of an Urgent Decision taken by the Chief Executive in accordance with Part 3, Section 5, Paragraph 10 of the Council's Constitution, in relation to a proposed traffic scheme in Braintree.

DECISION:

1. That Growth Area Funding be used for the purchase, demolition and associated costs of a property in Braintree.
2. That the Urgent Decision made by the Chief Executive on 1st December 2010 be noted

The meeting commenced at 7.15pm and closed at 9.40pm.

Councillor A F Shelton
(Chairman)

APPENDIX

COUNCIL MEETING

6TH DECEMBER 2010

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Mrs Juliet Walton, 51 Constable Way, Black Notley
Agenda Item 6 – Maternity Service in Braintree

Mrs Walton referred to her previous involvement on maternity services in Braintree in 2004, and the campaign at the William Julien Courtauld (WJC) hospital that resulted with WJC reopening 24 hours per day. Reference was made to certain maternity cases at that time – a baby being born in the car park, and a mother in labour having to travel to St Peter's hospital in Maldon.

It was considered that similar cases could happen again if 24 hours maternity provision is not maintained in Braintree and Members were requested to support the Motion on maternity services, and ensure 24 hour care.

2. Statement by Mrs Glenda Dixey, representing Park Pre-School, Halstead
Regarding the proposed closure of Halstead Senior Citizens' Centre, New Street, Halstead

Mrs Dixey reported that Park Pre-School has regular attendance by 85 children, with 12 staff members, and is an unofficial co-operative with a good reputation; holds a waiting list for children; is Ofsted approved, and serves the local community. It is understood that the building is near its end of life, but the Park Pre-School has been a good tenant for 35 years maintaining the premises inside and out, and have nowhere else in Halstead to use.

Mrs Dixey requested that Park Pre-School be allowed to remain open until the end of July 2012 – instead of the proposed date of 31st March 2012 – to allow for the summer term of the academic year to be completed.

Councillor Butland, the Leader of the Council, stated that the request to enable the Pre-School to complete their full school year can be supported. A report is to be produced on the new community facility in Halstead and the usage of the proposed facility and availability of community groups to manage it, could be beneficial to this issue.

3. Statement by Mr Vernon Rolls, 8 Croft Close, Braintree
Agenda Item 8(ii) Financial Procedure Rules and Item 8(iv) Decision Making Arrangements

Mr Rolls advised that he was speaking from a personal viewpoint, and not on behalf of the BBCA.

Firstly, Mr Rolls spoke on the Financial Rules and Responsibilities report and the role of the Audit Committee being a main issue in the document. Further in the report the differing functions of the Overview and Scrutiny Committee and the Audit Committee are set out, and Mr Rolls continued to refer to the cost savings

(i)

proposed by the Council, including the merging of these two Committees and, in his opinion that the independence of a separate Overview and Scrutiny Committee should be maintained to allow the activities of a reduced Council to be scrutinised. It was presumed that the proposals would be subject to proper public consultation.

Secondly, Mr Rolls referred to the proposal for a 'Strong Leader' model, as opposed to an elected Mayor for Braintree, under the Decision Making reference from Cabinet. The consultation quoted in the report, states only one response and that 'no valid representations were received'.

Mr Rolls reported that through his regular use of the Council website, and the Council page in local press there was no recollection of this issue being out for consultation. This was considered to emphasise the extent to which consultation of the public as being inadequate.

Therefore, it was questioned whether it ever occurred to the Council that, at least, one person in Braintree and perhaps many others may prefer an elected Mayor. However, the Council 'assumed' that the public did not wish to be involved – that Mr Rolls considered being unlikely.

In conclusion, Mr Rolls stated that as, for example the Victoria Street development is soon to receive public consultation – that the Council seriously reviews its procedures for consultation to ensure there is genuine involvement of the public.