

Minutes



Council Meeting

16th December 2013

These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available for 6 months at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J E Abbott	Yes	Councillor D Mann	Yes
Councillor J S Allen	Apologies	Councillor J T McKee	Apologies
Councillor M J Banthorpe	Yes	Councillor R G S Mitchell	Yes
Councillor P R Barlow	Yes	Councillor J M Money	Yes
Councillor J Baugh	Yes	Councillor Lady P Newton	Apologies
Councillor J C Beavis	Yes	Councillor J O'Reilly-Cicconi	Apologies
Councillor D L Bebb	Yes	Councillor I C F Parker	Yes
Councillor E Bishop	Yes	Councillor J A Pell	Yes
Councillor R J Bolton	Apologies	Councillor R P Ramage	Yes
Councillor L B Bowers – Flint	Yes	Councillor D M Reid	No
Councillor G Butland	Yes	Councillor F Ricci	Apologies
Councillor C A Cadman	Apologies	Councillor D E A Rice	Yes
Councillor S Canning	Yes	Councillor W J Rose	Yes
Councillor T G Cunningham	Yes	Councillor V Santomauro	Yes
Councillor J G J Elliott	Apologies	Councillor W D Scattergood (Chairman)	Yes
Councillor Dr R L Evans	Yes	Councillor W Schmitt	Yes
Councillor A V E Everard	Yes	Councillor A F Shelton	Yes
Councillor J H G Finbow	Yes	Councillor L Shepherd	Yes
Councillor M J Fincken	Yes	Councillor C E Shute	Yes
Councillor T J W Foster	No	Councillor C Siddall	Yes
Councillor M E Galione	Yes	Councillor G A Spray	Yes
Councillor C Gibson	Apologies	Councillor J S Sutton	Yes
Councillor M Green	Yes	Councillor J R Swift	Apologies
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor S A Howell	Yes	Councillor C M Thompson	Yes
Councillor H D Johnson	Yes	Councillor M Thorogood	Yes
Councillor S C Kirby	Yes	Councillor L S Walters	Yes
Councillor M C M Lager	Yes	Councillor R G Walters	Yes
Councillor C Louis	Yes	Councillor S A Wilson (Vice- Chairman)	Yes
Councillor D J Louis	Yes	Councillor B Wright	Yes

50. **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcements covered the following:

- The death of former Councillor and Past Chairman of the Council, Roy McDowell. A minute's silence was held in memory of former Councillor McDowell along with tributes from Members;
- Keep Britain Tidy Awards 2013 were presented to Karen Brown, one of our Green Heart Champions and representing Braintree East – Pride in our Patch and to Councillor Wendy Schmitt, Cabinet Member, Place;
- Halstead in Bloom including the presentation of certificates of appreciation to Council members of staff for their help;
- Braintree District Council Partners 5-mile Charity Run involving 13 runners from the Council and receiving a cheque for £303.10 from two Council apprentices for the Chairman's Charities;
- Awards to the Council from the Essex Playing Fields Association - Best Kept Playing Fields Competition 2013 presented to Council members of staff;
- Wake Up and Smell the Coffee Initiative including being recognised at this year's Towns Alive Awards winning in the Business and Economy category;
- New Deputy Lieutenants for the County of Essex, including one from Braintree district;
- Active Essex Sport Awards in the district;
- Jack Petchey Foundation Awards in the district;

51. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

- Councillor Barlow declared a non-pecuniary interest in Agenda item 7c, Report from Councillor Bebb, Cabinet Member, Performance and Efficiency, as an elected member of the Co-operative Group Regional Board Area Committee and a bank account holder at the Co-operative Bank;
- Councillors Butland and R Walters declared non-pecuniary interests in Agenda item 8, Oral Questions from Councillors – Public Session, as members of Great Notley Parish Council which was referred to in response to a question to Councillor Schmitt.

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

52. **MINUTES**

DECISION: That, subject to Minute 48 recording Councillor Mitchell as Deputy Cabinet Member, Place, and Councillor Lady Newton as Cabinet Member, Planning and

Property, the Minutes of the meeting of the Council held on 14th October 2013 be approved as a correct record and signed by the Chairman.

53. **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

54. **RECOMMENDATION FROM CABINET, 9TH DECEMBER 2013 - SOLAR PANELS PROGRAMME**

DECISION: That capital funding of £430,000 for the installation of solar panels at Halstead Leisure Centre and Braintree Swimming Centre be approved.

REASON FOR DECISION:

1. To produce green energy and reduce carbon emissions.
2. To invest capital for a revenue return for a period of 20 years.

55. **RECOMMENDATION FROM CABINET, 9TH DECEMBER 2013 - MEDIUM-TERM FINANCIAL STRATEGY (MTFS) 2013-14 TO 2017-18**

DECISION:

1. That Braintree District Council's Local Council Tax Support scheme for 2014/15 as detailed on the Council's website:
http://www.braintree.gov.uk/pcts_reductionschemepolicy, be agreed.
2. That the transfer of £250,000 from the unallocated balance to the earmarked reserve for redundancy and early retirement costs be agreed.

REASON FOR DECISION:

1. To agree the Local Council Tax Support scheme for the Braintree district from 1st April 2014, in line with legal requirements.
2. Good governance arrangements through the proactive management of the Council's finances over the short and medium term.

56. **RECOMMENDATION FROM CABINET, 9TH DECEMBER 2013 - PURCHASE OF ECKARD HOUSE SITE, WITHAM**

DECISION: That capital funding on the terms set out in the report in Private Session be approved.

REASON FOR DECISION: To enable the Council to facilitate additional commuter car parking in Witham.

57. **REPORTS FROM THE LEADER AND CABINET MEMBERS**

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

The Leader added the following to his report:

- Central Government had now dropped plans to top slice funding from the New Homes Bonus and allocate it to Local Enterprise Partnerships (LEPs).
- At a recent meeting of the South East LEP (SELEP), business representatives had stated that they wished to represent the whole of the Essex economy and not just parts of it. The meeting had also determined that priorities for the SELEP would be set on an Essex wide basis.
- The Leader, along with Councillor Lady Newton, Cabinet Member, Planning and Property, the Chief Executive and Corporate Director, had held a very good meeting with the new Managing Director of Stansted Airport. The Leader highlighted the importance of the Airport to the economy of the Braintree district and to the region. The Airport is the largest employer of residents in the district and its location is important for businesses in the district.
- The Leader stated with regret, that at a recent meeting of Essex Leaders, the Police and Crime Commissioner (PCC) for Essex had indicated that he wished Essex Police to withdraw from the Council Tax sharing arrangements put in place last year. The Leader hoped that further discussions would enable the PCC to reconsider his position.

In referring to her report, Councillor Beavis, Cabinet Member, People and Participation, encouraged Members, who had been unable to attend the meeting of Cabinet on 9th December 2013, to view the presentation from Fusion on delivering the new Leisure Contract through the webcast on the Council's website.

Councillor Bebb, Cabinet Member, Performance and Efficiency, added to his report that the Council is in advanced negotiations on transferring the provision of its banking services from the Co-operative Bank to another bank.

The Leader added the following to the report of Councillor Lady Newton, Cabinet Member, Planning and Property:

- Although the roll-out of Superfast Broadband in the district is a matter for Essex County Council (ECC) and British Telecom (BT), Councillor Lady Newton is in contact with ECC's Cabinet Member and would make information available to Members as soon as it becomes available;
- Councillor Lady Newton considered that the Public Examination of the Essex Minerals Plan had gone well and she was grateful to the efforts of Members and Town and Parish Councils.

Councillor Schmitt, Cabinet Member, Place, added to her report that, along with Officers and a representative from McDonalds, she had recently attended a Tidy Britain All Parliamentary Group event at the Houses of Parliament where the Council's work under the Green Heart initiative had been explained to a working group;

Councillor Siddall, Cabinet Member, Prosperity and Growth, added the following to his report:

- The visit of Brandon Lewis MP, Parliamentary Under Secretary of State, Department for Communities and Local Government, to Braintree on Small Business Saturday, 7th December 2013;
- Councillor Siddall welcomed the help provided to small businesses in the Chancellor's Autumn Statement with the extension of 100% business rates relief for a further year.

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

The main topics covered were as follows:

- Use of New Homes Bonus funds and a related strategy to be developed in 2014;
- Influencing the LEP under the new federated model;
- The Council's engagement in taking forward the recommendations in the "Who Will Care?" Commission's report;
- The impact of the Chancellor's Autumn Statement on the Council's Medium-Term Financial Strategy 2013/14 to 2017/18 in respect of the Business Rate Baseline;
- A formalised mechanism for the consideration of small capital projects proposed by Members and the split of funds between urban and rural areas;
- Revisiting the response from the Highways Agency to Councillor Lady Newton on the A131/A120 Marks Farm Roundabout;
- Clarifying the response from ECC and BT on the roll-out of Superfast Broadband;
- The schedule for emptying dog waste bins;
- Publishing figures on the recycling rates achieved by the Council;
- Working in partnership with ECC on the Cordons Farm Waste Facility;
- Assessment of litter thrown from vehicles on rural roads;
- Emergency Planning for adverse weather conditions;
- Continuing the legacy of the Portas Pilot Town work;
- Reporting the results of a GVA consultant's study on the future of town centres in the district;
- Supporting the night time economy in the district;
- Attracting non-retail industries into the district;

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

- Councillor Schmitt, Cabinet Member, Place, agreed to provide Councillor Barlow with the timetable for the Local Government Association's lobbying of Government for a local fee setting system to be established as outlined in the Police Reform and Social Responsibility Act 2011, including details of the costs incurred by the Council which cannot be recovered by the current licensing fee arrangement;
- Councillor Schmitt, Cabinet Member, Place, agreed to provide Councillor Banthorpe with information as soon as possible on comments that Police Community Support Officers are unable to insist that cyclists dismount when riding on pavements in town centres unless a sign is displayed asking cyclists to do so;
- Councillor Siddall, Cabinet Member, Prosperity and Growth, agreed to make available to Members the recently issued Backing Our Towns Newsletter;
- Councillor Siddall, Cabinet Member, Prosperity and Growth, agreed to provide Councillor Lager with details on the expenditure and outcomes achieved of funds provided to the Council for the Portas Pilot Town scheme.

58. **ORAL QUESTIONS FROM COUNCILLORS - PUBLIC SESSION**

INFORMATION: The following matters were raised:

- The high level of educational attainment achieved by Finchingfield, Stisted and White Notley Primary Schools;
- The level of fines imposed by Courts following prosecutions for fly-tipping;
- Feedback to all applicants to the Mi Community Scheme and a report on the outcomes of the Scheme due to be reported to Council in February 2014 by Councillor Spray, Chairman of the Mi Community Scheme;
- The success of cracking down on the problem of dog faeces in the district through campaigns and Councillor Schmitt's, Cabinet Member, Place, interview on BBC Essex;

59. **MINUTES OF MEETINGS - PUBLIC SESSION**

INFORMATION: No matters were raised.

60. **CHAIRMEN'S STATEMENTS – PUBLIC SESSION**

INFORMATION: No statements were made.

61. **STATEMENTS BY MEMBERS - PUBLIC SESSION**

INFORMATION: No statements were made.

62. **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: There were no reports received from Council representatives on external organisations, or issues raised.

EXCLUSION OF PUBLIC AND PRESS

DECISION: That, under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item as it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

The following is a public summary of the exempt information under Section 100C (2) of the Local Government Act 1972.

63. **RECOMMENDATION FROM CABINET, 9TH DECEMBER 2013 – PURCHASE OF ECKARD HOUSE SITE, WITHAM**

DECISION: That the detailed recommendation, as set out in the report, in respect of the approval of capital funding be agreed.

REASON FOR DECISION: To enable the Council to facilitate additional commuter car parking in Witham.

The meeting commenced at 7.15pm and closed at 9.17pm.

W D Scattergood
(Chairman)