

COUNCIL

AGENDA



THIS MEETING IS OPEN TO THE PUBLIC

(Please note this meeting will be webcast)

<http://www.braintree.gov.uk/Braintree/councildemocracy/committees/Council>

Date: Monday 16th April 2012

Time: 7:15pm

Venue: Council Chamber, Causeway House, Bocking End, Braintree, CM7 9HB

Membership:

Councillor J E Abbott	Councillor J S Allen	Councillor M J Banthorpe
Councillor P R Barlow	Councillor J Baugh	Councillor J C Beavis
Councillor D L Bebb	Councillor E Bishop	Councillor R J Bolton
Councillor G Butland	Councillor C A Cadman	Councillor S Canning
Councillor T G Cunningham	Councillor J G J Elliott	Councillor Dr R L Evans
Councillor A V E Everard	Councillor J H G Finbow	Councillor M J Fincken
Councillor L B Flint	Councillor T J W Foster	Councillor M E Galione
Councillor C Gibson	Councillor M Green	Councillor P Horner
Councillor S A Howell	Councillor H D Johnson	Councillor S C Kirby
Councillor M C M Lager	Councillor D J Louis	Councillor Mrs C Louis
Councillor E Lynch	Councillor D Mann	Councillor J T McKee
Councillor R G S Mitchell	Councillor J M Money	Councillor Lady P Newton
Councillor J O'Reilly-Cicconi	Councillor I C F Parker	Councillor J A Pell
Councillor R P Ramage	Councillor D M Reid	Councillor F Ricci
Councillor D E A Rice	Councillor W J Rose	Councillor V Santomauro
Councillor W D Scattergood	Councillor W Schmitt	Councillor A F Shelton
Councillor L Shepherd	Councillor C Siddall	Councillor G A Spray
Councillor J S Sutton	Councillor J R Swift	Councillor P Tattersley
Councillor C M Thompson	Councillor M Thorogood	Councillor L S Walters
Councillor R G Walters	Councillor S A Wilson	Councillor B Wright

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. During this period Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Member Services Team on 01376 551414 or e-mail alastair.peace@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's office.

Members of the Council are requested to attend the above meeting to transact the following business: -

PUBLIC SESSION

1. **Apologies for Absence**
2. **To receive any announcements/statements from the Chairman of the Council.**
3. **Chairman's Charities 2011-2012.** The Chairman to present cheques to her nominated charities for the current Civic Year –
 - St. John Ambulance, Witham Division
 - Helen Rollason Cancer Charity
4. **Declarations of Interest.**
 - (a) To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.
 - (b) Any member with a personal and prejudicial interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time
5. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 15th February 2012 (Copy previously circulated)
6. **Question Time.** (See above paragraph)
7. **Policy Recommendations and References – Cabinet – 26th March 2012.**

To consider any policy recommendations which have arisen since the last Council meeting –

 - a) **Pay Policy Statement 2012/13** - Report attached (Page 1)
 - b) **New Homes Bonus** – Report attached (Page 8)
 - c) **Parking Concessions - Backing Our Towns** – Report attached (Page 17)
8. **Revised Constitution** - Report attached (Page 23)
9. **Interim Appointment of the Monitoring Officer** - Report attached (Page 27)
10. **Recommendations from the Overview and Scrutiny Committee - Transport and Access to Health Services across the District** – Report attached (Page 29)
11. **Overview and Scrutiny Committee - Annual Report 2011/12** - Report attached (Page 33)

12. **Statements by Members.**

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 18.4(a).

- **Councillor Dr. R Evans on Community Budgeting.**

The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

(Please note that the maximum time set aside for item 7 shall not exceed 30 minutes)

13. **Question Time**

- (i) **Statements from the Leader and Cabinet Members.** To receive the following reports from each Portfolio Holder.

- a) Councillor Butland, Leader of the Council (Page 36)
- b) Councillor Beavis, Communities (Page 40)
- c) Councillor Lady Newton, Enterprise, Housing and Development (Page 43)
- d) Councillor Schmitt, Environment (Page 45)
- e) Councillor Siddall, Efficiency and Resources (Page 49)

- (ii) Oral questions without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants. (Procedure rules 18.2 and 18.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for this item shall not exceed 30 minutes)

- (iii) **Chairmen's Statements.** To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 18.7 and to respond to questions on such statements.

- **Councillor Gabrielle Spray – Chair of the Locality Working Group – Update on the Mi Community.**

- (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the last Council meeting on 15th February 2012. (Paper attached – Page 51)

14. To receive reports about and receive questions and answers on the **business of external organisations**.

- a) Braintree, Halstead and Witham Citizens' Advice Bureau – Report by Councillor J Sutton - Report attached (Page 52)
- b) Braintree District Voluntary Support Agency – Report by Councillor S Howell Report attached (Page 54)
- c) Business Development Services – Report by Councillor Lady Newton Report attached (Page 56)

Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -

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

PRIVATE SESSION

Note: At the time of Publication there are no items for Private Session

15. **Statements by Members – Private Session**

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 18.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

There are no statements

(Please note that the maximum time set aside for item 10 shall not exceed 30 minutes)

16. **Question Time - Private Session**

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants and which contain exempt information. (Procedure rules 18.2 and 18.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for item 16(ii) shall not exceed 30 minutes)

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 18.7 and to respond to questions on

such statements - ***There are none.***

- (iv) To raise any matters arising from the minutes of meetings that have been held in private session since the last Council meeting on 15th February 2012.

17. **Private Session Policy Recommendations.** To consider any policy recommendations (in private session) that have arisen within the last meetings' cycle – ***There are none.***

If you are unable to attend the meeting please forward your apologies for absence to Alastair Peace on (01376) 551414 or email alastair.peace@braintree.gov.uk

The last page of this agenda is numbered 57.

A J REID
Chief Executive

Health and Safety

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Mobile Phones

Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at <http://www.braintree.gov.uk/Braintree/councildemocracy>

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended

Date of Meeting

Comments.....

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Contact details.....

