

# 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 19<sup>th</sup> September 2011

**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 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 P Horner	Councillor S A Howell
Councillor H D Johnson	Councillor S C Kirby	Councillor M C M Lager
Councillor D J Louis	Councillor C Louis	Councillor D Mann
Councillor J T McKee	Councillor D G Messer	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 D E A Rice	Councillor W J Rose
Councillor C Sandbrook	Councillor S Sandbrook	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](mailto: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 offices.

**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.**
  - to include receiving the East of England Charter for Elected Member Development from Councillor Peter Martin, Chairman of East of England Local Government Association.
3. **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
4. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 27<sup>th</sup> June 2011 (Copy previously circulated)
5. **Question Time.** (See above paragraph)
6. **District of Tomorrow Debate**

The Leader of the Council will open the District of Tomorrow debate and then any Member can contribute to the debate.
7. To consider the **Notice of Motion** as follows:

Power Lines: Bramford to Twinstead Tee

"The Council notes that National Grid is currently carrying out a second stage consultation on the construction of a new 400kv power line between Bramford and Twinstead Tee. The Council reaffirms its view that as much as possible of this line should be placed underground to reduce the visual impact on the countryside.

It also urges UK Power Networks to consider removing the 132kv overhead line between Twinstead Tee and any new substation to be built to the west of Twinstead and calls upon National Grid to ensure that there is meaningful consultation with local authorities and communities on the siting of any new substation."

Appropriate notice of the motion has been given to the Chief Executive under Rule 19.1 of Part 4 of the Constitution and the motion has been signed by Councillors I C F Parker, J S Sutton, J S Allen, S C Kirby, H D Johnson and G A Spray.

8. **Policy Recommendations and References – Cabinet – 1<sup>st</sup> September 2011.**

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

- (i) **Treasury Management Annual Report 2010/11** (Page 1)
- (ii) **Medium Term Financial Strategy 2011/12 to 2014/15 Update** (Page 14)

9. **Policy Recommendations and References – Local Development Framework Panel – 8<sup>th</sup> September 2011.**

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

- (i) **Inspector's Report on the Core Strategy and Proposed Adoption of the Core Strategy Incorporating Changes** (Page 22)

*Members of the LDF Panel are requested to bring to this meeting the LDF Core Strategy Final Version previously circulated. For all other Members the LDF Core Strategy Final Document has been circulated as separate document to this Agenda. The LDF Core Strategy Final Version is also available to the Members via the Members' Portal.*

10. **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). **There are none.**

11. **Question Time**

- (i) **Statement's from the Leader and Cabinet Members.** To receive the following reports from each Portfolio Holder.
  - a) Councillor G Butland, Leader of the Council (Page 50)
  - b) Councillor J C Beavis, Communities (Page 54)
  - c) Councillor Lady Newton, Enterprise, Housing and Development (Page 60)
  - d) Councillor W Schmitt, Environment (Page 64)
  - e) Councillor C Siddall, Efficiency and Resources (Page 70)
- (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 10.7 and to respond to questions on such statements. **None have been received.**

- (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the last Council meeting on 27<sup>th</sup> June 2011.  
(Paper attached – Page 74)

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

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 time of publication there are no items for Private Session.

13. **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 10.4(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)*

14. **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 11 (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 10.7 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 27<sup>th</sup> June 2011.

15. **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](mailto:alastair.peace@braintree.gov.uk)

The last page of this agenda is numbered 74.

A J REID  
Chief Executive

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### **Mobile Phones**

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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.....