

# 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 6<sup>th</sup> December 2010**

**Time: 19:15**

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

### Membership:

Councillor J E Abbott	Councillor M J Banthorpe	Councillor Miss L Barlow
Councillor J Baugh	Councillor Mrs J C Beavis	Councillor D L Bebb
Councillor E Bishop	Councillor R J Bolton	Councillor G Butland
Councillor G Cohen	Councillor J C Collar	Councillor M Dunn
Councillor Mrs E Edey	Councillor J G J Elliott	Councillor R Elliston
Councillor Dr R L Evans	Councillor A V E Everard	Councillor J H G Finbow
Councillor Ms L B Flint	Councillor T J W Foster	Councillor M G Gage
Councillor Mrs B A Gage	Councillor Mrs M E Galione	Councillor J E B Gyford
Councillor N R H O Harley	Councillor Mrs S A Howell	Councillor P J Hughes
Councillor D L Hume	Councillor M C M Lager	Councillor S J Lambourne
Councillor E R Lynch	Councillor M Lynch	Councillor D Mann
Councillor T McArdle	Councillor N G McCrea	Councillor J McKee
Councillor H Messenger	Councillor A M Meyer	Councillor R G S Mitchell
Councillor Mrs J M Money	Councillor Lady Newton	Councillor J O'Reilly-Cicconi
Councillor Mrs A Olumbori	Councillor Mrs J A Pell	Councillor R Ramage
Councillor D M Reid	Councillor D E A Rice	Councillor Mrs C Sandbrook
Councillor Mrs W D Scattergood	Councillor Mrs W Schmitt	Councillor A F Shelton
Councillor Mrs L Shepherd	Councillor C Siddall	Councillor Mrs J A Smith
Councillor Mrs G A Spray	Councillor F Swallow	Councillor Miss M Thorogood
Councillor S M Walsh	Councillor R G Walters	Councillor T S Wilkinson

### 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 [eileen.self@braintree.gov.uk](mailto:eileen.self@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 at Braintree, Witham and Halstead.

**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. **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> September 2010 (Copy previously circulated)
5. **Question Time.** (See above paragraph)
6. To consider the **Notice of Motion** as follows:

"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. These new proposals do not meet the needs of the residents of the Braintree District. This Council calls upon Mid Essex Health Authority to retain the overnight facilities currently enjoyed by our residents at WJC"

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 Dr R Evans, E Lynch, J Gyford, D Mann, Miss M Thorogood and A E V Everard.
7. **Report of Task & Finish Group - Public Service Provision for Older People - to consider the Group's recommendations** Report attached (Page 1)
8. **Policy Recommendations and References – Cabinet.**

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

  - (i) **Cabinet - 22nd November 2010 - Community Halls - Refurbishment of 19/21 Bocking End, Braintree**  
Report attached (Page 5)
  - (ii) **Cabinet - 22nd November 2010 - Financial Procedural Rules**  
Report attached (Page 6)
  - (iii) **Cabinet - 22nd November 2010 - Proposed Changes to the Petitions Scheme**  
Report attached (Page 28)
  - (iv) **Cabinet - 22nd November 2010 - Decision Making Arrangements**  
Report attached (Page 36)

9. **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 10.4(a). **There are none.**

10. **Question Time**

(i) **Statement's from the Leader and Cabinet Members.** To receive the following reports from each Portfolio Holder.

- Councillor Butland, Leader of the Council (Page 39)
- Councillor Lady Newton, Housing and Well-Being (Page 40)
- Councillor Mrs Schmitt, Communities (Page 43)
- Councillor Walters, Environment and Sustainability (Page 47)
- Councillor Harley, Enterprise and Culture (Page 50)
- Councillor Mrs Beavis, Customers and Communication (Page 54)
- Councillor Lager, Efficiency and Resources (Page 57)

(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 10.2 and 10.8 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> September. (Paper attached – Page 60)

11. 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.

If you are unable to attend the meeting please forward your apologies for absence to Eileen Self on (01376) 551414 or email [eileen.self@braintree.gov.uk](mailto:eileen.self@braintree.gov.uk)

The last page of this agenda is numbered 60.

A J REID  
Chief Executive

**Health and Safety**

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

**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.....