

Minutes

Council Meeting



28th March 2022

These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. An audio recording of the meeting is available for six months at www.braintree.gov.uk

Present:

Councillors	Present	Councillors	Present
Councillor J Abbott	Yes	Councillor Mrs J Pell	Remote
Councillor J Baugh	Apologies	Councillor I Pritchard	Apologies
Councillor Mrs J Beavis	Yes	Councillor M Radley	Apologies
Councillor K Bowers	Remote	Councillor S Rehman	Yes
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor J Coleridge	Yes	Councillor B Rose	Yes
Councillor G Courtauld	Yes	Councillor Mrs J Sandum	Yes
Councillor Mrs M Cunningham	Yes	Councillor Miss V Santomauro	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Scattergood	Remote
Councillor Mrs C Dervish	Yes	Councillor Mrs W Schmitt	Remote
Councillor P Euesden	Yes	Councillor P Schwier	Yes
Councillor T Everard	Yes	Councillor Mrs G Spray	Yes
Councillor Mrs D Garrod	Yes	Councillor P Tattersley	Yes
Councillor A Hensman (Vice-Chairman)	Yes	Councillor P Thorogood	Apologies
Councillor S Hicks	Yes	Councillor N Unsworth	Apologies
Councillor P Horner	Remote	Councillor R van Dulken	Yes
Councillor D Hume	Remote	Councillor D Wallace	Apologies
Councillor H Johnson	Yes	Councillor T Walsh	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs L Walters	Yes
Councillor W Korsinah	No	Councillor Miss M Weeks	Apologies
Councillor D Mann	Yes	Councillor D White	Apologies
Councillor T McArdle	Yes	Councillor Mrs S Wilson (Chairman)	Yes
Councillor J McKee	Yes	Councillor J Wrench	Yes
Councillor A Munday	Yes	Councillor B Wright	Yes
Councillor Mrs I Parker	Yes		

The meeting was being held in a 'hybrid' format in the Council Chamber at Causeway House in order to minimise any risk posed to the safety of those in attendance 'in person.' A period of three hours would be allowed for this meeting. Members attending the meeting remotely were allowed to participate in the meeting but would not be permitted to vote on any items on the agenda.

Before the commencement of the meeting, the Chairman highlighted that there was an addendum report in respect of Agenda Item 7, 'Changes to the Appointment Committee.' The addendum report had been circulated to all Members prior to the meeting and would be referred to in place of the original public report that was published with the Agenda.

72 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor J Abbott declared a Non-Pecuniary Interest in Agenda Item 9, 'Cabinet's Report to Full Council' as a member of Rivenhall Parish Council.

Councillor G Butland declared a Non-Pecuniary Interest as an Elected Member at Essex County Council (ECC) which was referred to in a number of reports.

Councillor T Cunningham declared a Non-Pecuniary Interest as an Elected Member at ECC.

Councillor P Schwier declared a Non-Pecuniary Interest as an Elected Member at ECC.

Councillor T Walsh declared a Non-Pecuniary Interest in Agenda Item 9, 'Cabinet's Report to Full Council' as a member of the campaign group in respect of the Integrated Waste Management Facility.

Councillors remained in the meeting, unless stated otherwise and took part in the debate and decision when the Items were considered.

73 **MINUTES**

DECISION: The Minutes of the meeting of Full Council held on 21st February 2022 were approved as a correct record and signed by the Chairman.

74 **QUESTION TIME**

INFORMATION: There were two statements made, as follows:-

The first statement was made by Mr A MacKenzie and regarded the Wethersfield Airfield Scoping Opinion letter and the subsequent response, particularly in respect of the Blackwater catchment area.

In response to Mr MacKenzie's statement, Councillor G Butland, Leader of the Council, strongly refuted any claims of support by himself or any other Members for the prisons proposed at the Wethersfield Airfield site. No such application had yet come forward, and any such application made would be given detailed consideration via the planning process as to its potential impact on the District.

In respect of the EIA (Environmental Investigation Agency) scoping request, the Leader advised that the Council had appointed expert external consultants who had given detailed assessment and subsequent response to the request, the response of which had been published on the Council's website. In its response, the Council had confirmed that it required an environmental statement to accompany any future

planning application. The Council also reserved its right to request further information if required at any future stage. It was noted that both the Environment Agency (EA) and Natural England (NE) had also been consulted with on the EIA scoping document, with their comments published on the website as well. In assessing water resources and flood risk, the Council's response stipulated that it expected detailed consultation to be held with the EA, Anglian Water, NE and others in order to ensure that their requirements and concerns would be given full consideration in any future planning application. Should such an application come forward, it was stressed that all local residents and statutory consultees would be able to consider the information that had been submitted in support, including the environmental statement, and provide comments on this. Once received, the comments would be considered by officers and Members in coming to a view on the merits of any future planning application, if submitted.

The second statement was made by Mr N Loftus and regarded the Campaign to Protect Rural England's (CPRE) position statement on RAF Wethersfield.

In response to the statement made by Mr Loftus, Councillor G Butland confirmed that the Council was aware of the statement from CPRE which regarded their views of the acceptable future use of the Wethersfield Airfield site. Should a planning application be received by the Council for redevelopment of the Wethersfield Airfield, then CPRE, along with residents and any other interested parties would be able to consider in detail all of the information which the applicant had submitted in support of their application and supply their comments in response. These comments, once received, would be received by officers and Members in due course, should any such planning application be received.

75 **ANNOUNCEMENTS/STATEMENTS FROM THE CHAIRMAN AND LEADER OF THE COUNCIL**

INFORMATION: The Chairman's announcements covered the following:

Land Charges Team

The Chairman was pleased to announce that the Land Charges Team, who are part of the wider Governance Service, had recently been recognised at national level for their hard work. The team consisted of Maxine Steele, Michael Salter and Louise Harvey. They were shortlisted as finalists in the 2022 Land Data Land Charges Awards for Excellence; the nominations for the award were made by the Council's customers, including external solicitors, conveyancers and other external users of the service.

Whilst the Team did not win, they were ranked in the top 10 out of 342 Councils, which was a huge achievement, especially given that the others in the top ten were larger Borough Councils. In addition, the Land Charges Team were the only Essex Authority to be nominated. That the Team was nominated by their customers was a true validation of the efforts made and the quality of their work. It was noted that Maxine Steele was present at the meeting, and the Chairman took the opportunity on behalf of all Members to say well done and thank you to the team for their hard work in ensuring that the Council provided a first-class Land Charges Service.

Travel Lodge Opening Ceremony

The Chairman was pleased to attend the official opening of the Travel Lodge hotel in Victoria Street, Braintree on 9th March 2022, and added that it was a fantastic new addition to the town centre.

Queen's Canopy

On 11th March 2022, the Chairman was joined by the Vice Chairman, Councillor Hensman, Councillor Mrs Schmitt and various members and representatives from Halstead Town Council with Witham Town Council to plant three trees across the District for the Queen's Green Canopy. The day marked the seventieth day of the seventieth year of the Queen's reign. Each tree had been planted with a plaque to mark and celebrate the occasion.

Civic Reception

On 18th March 2022, the Chairman held her Civic Reception celebration at Rivenhall Oaks Golf Club in Witham. There were over 90 attendees in attendance who played crazy golf and enjoyed a delicious lunch. The Chairman was pleased to have her charities represented. The Chairman was also pleased to say that she had raised nearly £1,000.

Business/Community Visits

The Chairman was continuing with her visits to businesses and community groups. Since the last meeting of the Full Council, the Chairman was pleased to announce the following visits:

- The Pheasant, Gestingthorpe;
- Bures Hamlet Parish Council, Celebration of the Clerk's Retirement after 40 years of service, and;
- Incredible Edible community project in Earls Colne.

Engagements

In addition to the Chairman's business and community groups' tour, she had also visited:

- The Town Hall with the Leader to show support for Ukraine and highlight the Town Hall;
- Celebration of Katherine Mina Courtauld, Colne Engaine;
- Commemoration Service for those that flew in gliders from Marks Hall Estate in WWII, at Marks Hall Estate;
- Civic Service at Chelmsford Cathedral, and;
- Braintree Market on Saturday 26th March.

The Leader had no announcements to make at this stage.

MOTION BY COUNCILLOR GRAHAM BUTLAND – EXPRESSION OF SUPPORT FOR THE PEOPLE OF UKRAINE

INFORMATION: Consideration was given to a Motion by Councillor G Butland, Leader of the Council about the ongoing situation in Ukraine. The Motion was as follows:-

The Motion

“Braintree District Council is appalled by the horrific devastation in Ukraine, the loss of life and the escalating humanitarian crisis facing that country.

In the light of this, and as a way of expressing support for members of our community who are from or have ties with Ukraine this Council:-

- a) Condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends;*
- b) Stands ready, to work with partner agencies, to provide support to those affected by this War;*
- c) Will work with and support the efforts of our local communities to provide help and comfort to those in need;*
- d) Will encourage our residents to support the Disasters Emergency Committee Ukraine Appeal.”*

The Motion was seconded by Councillor J Abbott.

In his commentary, Councillor Butland expressed his appreciation to all Members for the cross-party support that the Motion had received from all political groups and reflected on the atrocities currently being inflicted upon the people of Ukraine, which was in stark contrast to the normalcy of life for those in the UK. Councillor Butland also noted that there had been a vast wave of support expressed by residents throughout the District for those affected by the crisis and a keen willingness to help in whatever ways they could. It was added that one of the best ways in which local residents could help was to make a financial donation to the Disasters Emergency Appeal, and details were provided of the ‘Homes for Ukraine’ scheme being led by Essex County Council.

There followed a general debate on the Motion as submitted by Councillor Butland. Upon being put to the vote, the Motion was declared **CARRIED**. Only those Members who were present in the Chamber were permitted to vote on the Motion.

CHANGES TO THE APPOINTMENT COMMITTEE

INFORMATION: Members were reminded that there was an addendum report in respect of this Item which would be referred to in place of the original public report that was published with the Council Agenda. The addendum report was circulated to all Members prior to the meeting. Councillor G Butland, Leader of the Council, was invited to present the report.

The report outlined the update to the membership of the Appointment Committee and set out the necessary steps to ensure that the Appointment Committee remained

relevant to the recruitment being undertaken at any time. Following notice of the retirement of the Council's Chief Executive, Andy Wright, it was now necessary for the Council to undertake a recruitment process for his replacement. The current Membership of the Appointment Committee had representation from all political groups except for the Labour Group. For the appointment of the new Chief Executive only, the Leader considered it necessary for all political groups to be represented on the Committee. It was therefore recommended that the membership of the Appointment Committee be increased by one and that Councillor D Mann, representative of the Labour Group, be appointed.

It was also explained that the proposed timetable for recruitment meant that the Chairman of the Performance Management Scrutiny Committee, Councillor M Radley, who was also a member of the Halstead Residents Association, was unable to participate in the full recruitment process. In order to ensure that there was widespread representation from all political groups in the process, it was proposed that the requirement for the Chairman of the Performance Management Committee to be a member of the Appointments Committee be suspended, and that Councillor Mrs J Pell, Leader of the Halstead Residents Association, be appointed.

In conclusion, it was confirmed that the following Members had been appointed to the Appointment Committee: Councillor G Butland, Councillor T Cunningham, Councillor Mrs G Spray and Councillor R van Dulken as the Cabinet Members, along with Councillor J Abbott, Councillor D Mann and Councillor Mrs J Pell.

DECISION: That Council agreed to make the following changes to the Appointment Committee for the recruitment of the Chief Executive only:

- 1) Suspend the Constitution provision thereby removing the requirement to have the Chairman of the Performance Management Scrutiny Committee as a member of the Appointment Committee;
- 2) The membership of the Appointment Committee be increase by one to enable representation of the Labour group on the Appointment Committee;
- 3) To appoint Councillor David Mann to the vacancy as the representative of the Labour Group, and;
- 4) To appoint Councillor Jackie Pell to the Appointment Committee as the representative of the Halstead Residents Association.

REASON FOR DECISION: The Council has a number of Committees whose membership is determined by the Council. This report outlines the update to the membership of the Appointments Committee and sets out the steps necessary to ensure that the Appointment Committee remains relevant to the recruitment being undertaken at any time.

78 **HORIZON 120: THE PLAZA**

INFORMATION: Members gave consideration to a report on the Council's recent use of the Special Urgency Provision set out in the Council's Constitution in regard to the Plaza at the Horizon 120 site. Councillor G Butland, Leader of the Council, was invited to present the report, which was for noting only.

Members were informed that that the connection and furniture orders in respect of the Plaza had a lead-in time of between 90-120 days, depending on the level of work required. As the Plaza was expected to open in July 2022, with the procurement process likely to last up to six weeks, it was recognised that there was insufficient time to complete the connection and furniture delivery before the opening, should the Council delay a decision until the next available meeting of Cabinet. Accordingly, it was not possible for the Council to give the necessary 28 days' notice of its intention to take a key decision, nor to take the matter before Cabinet, without risking the opening of the Plaza. Therefore, the Council had little option but to utilise its Special Urgency Procedure, of which the Leader of the Council was in agreement.

Accordingly, the Leader of the Council approved the following decision on 15th February 2022 in relation to Horizon 120: The Plaza:-

- 1) Agreed to undertake the appropriate procurement process for the provision of the Internet connectivity and associated ICT Services in line with the budget set out in the Confidential Appendix (of the Decision Report).
- 2) Delegated authority to the Corporate Director (Operational), in consultation with the Cabinet Member for Finance and Corporate Transformation to award the contract(s) at the conclusion of the procurement process, provided the contract(s) are within the approved budget as set out in the Confidential Appendix (of the Decision Report).
- 3) Agreed to undertake a procurement through the Crown Commercial services and ESPO Framework for the provision of securing furniture for the Plaza in line with the budget set out in the Confidential Appendix (of the Decision Report).
- 4) Delegated authority to the Corporate Director (Economic), in consultation with the Cabinet Member for Housing, Assets and Skills to award the contract(s) at the conclusion of the procurement process, provided the contract(s) are within the approved budget as set out in the Confidential Appendix (9 of the Decision Report).

It was highlighted that no financial implications had arisen from the report, and that a copy of the decision had been published on the Council's website.

DECISION: That the decision taken by the Leader of the Council on 15th February 2022, relating to Horizon 120: The Plaza was noted.

REASON FOR DECISION: To inform the Council that it became necessary to use the Special Urgency Provision set out in the Braintree District Council (the Council) Constitution.

79 **CABINET'S REPORT TO FULL COUNCIL**

INFORMATION: The Chairman invited the Leader of the Council to introduce the Cabinet Report to Full Council. The Leader made one addition to his report in respect of the 'Essex Leaders and Chief Executive Meeting;' following a request from the Leaders of Southend and Thurrock, who both had elections in May 2022, it was agreed that the working groups would not begin their work in respect of the Levelling Up agenda until after the elections had taken place.

Councillor J McKee, Cabinet Member for Finance and Corporate Transformation, provided several updates to Members in respect of his report. Firstly, on the subject of ICT, the Cabinet Member was pleased to announce that the 'Braintree District Venues' site had now become live; the site provided an online booking system for accommodation at three different locations across the District, including the new I-Construct. Secondly, the Cabinet Member was also pleased to report that Essex County Council had approved the certification of Braintree District Council as a chartered 'Family Friendly' employer.

A third update was then provided in relation to the £1.6 billion of Covid-19 Additional Relief Fund (CARF) or grants system; a story had recently emerged in the press about monies that had been allocated to Local Authorities to help support residents having not been distributed accordingly. It was stipulated that grant monies distributed by the Government were left as discretionary for Local Authorities to decide what they thought was the most appropriate way to allocate these funds. Braintree District Council was allocated £2.5 million, but initial requests for applications for this new scheme had been very low. Of the 75 applications that were sent out for the CARF scheme, only 42 had thus far responded. It was stressed that the Marketing and Communications team were doing all they could to accelerate interest in the scheme via the Council's social media channels, despite some vague criteria from the Government as to the most suitable recipients of the funding. The Council was continuing to promote the scheme as widely as possible, as well as strengthen the criteria. It was added that other Local Authorities were experiencing similar difficulties.

Following this, the Chairman invited Members to ask their questions arising from the reports. Questions were not limited to the content of the report and could be about matters relating to a portfolio, the powers and duties of the Council, or matters pertaining to the District.

A webcast of the questions to and the responses of the Leader of the Council and Cabinet Members is available on the Council's website and its YouTube channel at: <https://www.braintree.gov.uk/youtube>

The main topics were as follows:-

- Councillor Abbott raised a question in respect of new developments within the boundary of Rivenhall; agreement was sought from the Cabinet Member for Planning and Infrastructure where these came forward, regardless of the location, consideration would be given towards Section 106 monies for the local community to ameliorate said development.
- Councillor Abbott extended his thanks to Officers and Cabinet Member for Climate Change and the Environment for progressing the clear up of rubbish along the A12 and for the provision of new bins.
- Councillor Abbott raised a concern about the quality of recycling sacks following a number of comments from residents within his local area.
- Councillor Abbott asked a question in respect of Tarecroft Wood in Rivenhall and some recent tree-felling work that was carried out within the area by Essex County Council.

- Councillor Mrs Beavis raised a question about the Planning Forums and when this was likely to be debated at Full Council.
- Councillor Johnson asked a question in relation to a story which had appeared recently in the Halstead Gazette about an alleged delay in the development of the Sible Hedingham Medical Centre.
- Councillor Mrs Kilmartin was pleased that the procurement process had begun for improvements to the town centre in Witham.
- Councillor Mrs Kilmartin queried the refusal for the development of a new care and nursing home along Gershwyn Boulevard in Witham.
- Councillor Schwier requested details as to the next steps forward in respect of town centre improvements in Halstead, now that the procurement process had commenced, and other actions being taken by the Council in order to support post-pandemic recovery in the area.
- Councillor Walsh sought confirmation from the Cabinet Member for Housing, Assets and Skills that it was the intention of the Council to help refugee families within the District become more integrated within local communities.
- Councillor Wrench requested information on the total expenditure for the year in respect of the Councillor Community Grant Scheme.
- Councillor Wright raised a question in relation to the use of the unclassified Woodhouse Lane as a second access point to the Rivenhall Airfield Waste Site.
- Councillor Wright asked a question in respect of the Rivenhall Incinerator and an application that had been submitted by the developer to vary the conditions stipulated in the original application.

Before bringing the meeting to a close, the Chairman reminded Members that the next meeting of Full Council would be the Annual General Meeting on 25th April 2022.

The meeting commenced at 7.15pm and closed at 8.51pm.

Councillor Mrs S Wilson
(Chairman)