

Minutes

Council Meeting

13th April 2015



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

Present:

Councillors	Present	Councillors	Present
Councillor J E Abbott	Yes	Councillor D Mann	Yes
Councillor J S Allen	Yes	Councillor J T McKee	Yes
Councillor M J Banthorpe	Yes	Councillor R G S Mitchell	Apologies
Councillor P R Barlow	Yes	Councillor J M Money	Yes
Councillor J Baugh	Yes	Councillor Lady P Newton	Yes
Councillor J C Beavis	Yes	Councillor J O'Reilly-Cicconi	Yes
Councillor D L Bebb	Yes	Councillor I C F Parker	Yes
Councillor E Bishop	Yes	Councillor J A Pell	Apologies
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	Yes
Councillor C A Cadman	Yes	Councillor D E A Rice	Yes to 8.40pm
Councillor S Canning	Apologies	Councillor W J Rose	Yes
Councillor T G Cunningham	Yes	Councillor V Santomauro	Apologies
Councillor J G J Elliott	Yes	Councillor W D Scattergood	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	Yes	Councillor C Siddall	Yes
Councillor M E Galione	Yes	Councillor G A Spray	Yes
Councillor C Gibson	Yes	Councillor J S Sutton	Yes
Councillor M Green	No	Councillor J R Swift	Yes
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor S A Howell	Apologies	Councillor C M Thompson	Yes
Councillor H D Johnson	Yes	Councillor M Thorogood	Yes
Councillor S C Kirby	Yes	Councillor L S Walters (Vice-Chairman)	Yes
Councillor M C M Lager	Yes	Councillor R G Walters	Yes
Councillor C Louis	Apologies	Councillor S A Wilson (Chairman)	Yes
Councillor D J Louis	Apologies	Councillor R Wright	Yes

81 **CHAIRMAN'S CHARITIES 2014-2015**

The Chairman was pleased to present cheques for £6,800, to representatives of her nominated charities for the Civic Year 2014-15 as follows:-

- Halstead Day Centre
- Twinstead and Braintree Riding for the Disabled
- Coggeshall Prentice Youth Work Trust
- Parc Essex

82 **PRESENTATION BY THE CHAIRMAN OF THE KEEP BRITAIN TIDY DIAMOND JUBILEE AWARD**

The Chairman was proud to announce that the Braintree District had been awarded with the Keep Britain Tidy Diamond Jubilee Award.

The Chairman presented the award to Councillor Wendy Schmitt, Cabinet Member for Place together with Officers Ian Ellis, Richard Bass, Paul Richards, Les Davies, Tania Roberge and Roz Alam. The Chairman passed on her congratulations to all those involved in achieving the high standards recognised by this award.

83 **PRESENTATION BY THE CHAIRMAN OF CITATIONS TO COUNCILLORS WHO WILL NOT BE STANDING FOR RE-ELECTION IN MAY 2015**

The Chairman was pleased to present citations to the following retiring Councillors: Bishop, Cadman, Dr Evans, Finbow, Foster, Galione, Gibson, Lager, Rice, Shelton, Swift and R Walters.

Councillors Howell, C Louis, D Louis and Reid also received citations, but were not present at the meeting.

The Leader of the Council and the Leader of the opposition were given the opportunity to say a few words about retiring Councillors.

84 **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcements covered the following:

- Commonwealth Day – The Chairman reported that on 9th April 2015 she had raised the Commonwealth Flag at Braintree Town Hall. The Chairman had been joined by Royal British Legion representatives, relatives of families of soldiers lost in the First World War and students from Tabor Academy who brought along their Standard as did Braintree and Bocking Royal British Legion. Tabor Academy is the only school with a bespoke affiliated Standard in the country.
- Civic Reception – The Chairman stated that on 20th March 2015 she had hosted a Reception at Braintree Town Hall. The guests included representatives from the Chairman's charities, community organisations and voluntary groups which the Chairman had visited throughout the year.

The Leader did not have any announcements to make.

85 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

Councillor M J Banthorpe declared a non-pecuniary interest in Agenda Item 7 – ‘Public Question Time’ as one of the registered speakers was known to him.

Councillor P R Barlow declared a non-pecuniary interest in Agenda Item 18b – ‘Annual Report on the Citizen’s Advice Bureau’ as a Trustee of the Citizen’s Advice Bureau.

Councillor L Bowers-Flint declared a non-pecuniary interest in Agenda Item 7 ‘Public Question Time’ as one of the registered speakers was known to her.

Councillor J S Sutton declared a non-pecuniary interest in Agenda Item 18b – ‘Annual Report on the Citizen’s Advice Bureau’ as a Trustee of the Citizen’s Advice Bureau.

Councillor R G Walters declared a non-pecuniary interest in Agenda Item 7 – ‘Public Question Time’ as one of the registered speakers was known to him.

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

86 **QUESTION TIME**

INFORMATION: There were three statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes.

87 **MINUTES**

DECISION: That the Minutes of the meeting of the Council held on 16th February 2015 be approved as a correct record and signed by the Chairman.

88 **TASK AND FINISH GROUP SCRUTINY REVIEW INTO THE NORTH ESSEX PARKING PARTNERSHIP (NEPP)**

INFORMATION: Councillor Bowers-Flint, Chairman of the Task and Finish Group, presented the final report on the work of the Task and Finish Group.

Councillor Bowers-Flint highlighted some of the concerns of the Group regarding the NEPP, in particular customer service, indicating that this was an area that needed to be reviewed. Councillor Bowers-Flint also expressed the frustration of dealing with Traffic Regulation Orders (TROs). Due to the complicated process of TROs, Members had asked the NEPP to keep people informed of progress on TROs.

Councillor Bowers-Flint passed on her thanks to Members and Officers for their hard work and contribution towards the work of the Task and Finish Group.

DECISION:

1. That the work of the Task and Finish Group, the report and the recommendations be noted.
2. That the report be referred to Cabinet.

REASON FOR DECISION: To consider the Task and Finish Group's report reviewing the North Essex Parking Partnership (NEPP).

89 **OVERVIEW AND SCRUTINY REVIEW INTO POVERTY IN THE BRAINTREE DISTRICT**

INFORMATION: Councillor Dr Evans, Chairman of the Overview and Scrutiny Committee, presented the final report on the work of the Scrutiny Review.

The Chairman passed on his thanks to Members, Officers, members of the public and businesses for their contribution and commitment towards the work of the Scrutiny Review. Particular thanks was expressed to Emma Wisbey, Governance and Member Manager, and Ian Hunt Head of Governance, for their preparation of the report.

Members highlighted the difficulties that young people faced with regards to affordable transport when travelling to places of employment. Members were advised that this was an area that had previously been looked at during the previous year's Scrutiny Review into Young People Not in Education, Employment or Training (NEET's) where a transport scheme had been identified.

DECISION:

- (1) That the work of the Overview and Scrutiny Committee, the report and the recommendations be noted.
- (2) That the report be referred to Cabinet.

REASON FOR DECISION: To consider the Overview and Scrutiny Committee's report reviewing Poverty in the Braintree District.

90 **AMENDMENTS TO THE CONSTITUTION**

INFORMATION: At Council on 16th April 2012 a new form of Constitution had been adopted which had reorganised the layout of the document. It had also incorporated a number of other minor changes. The Constitution had been revised further on 11th June 2012 to incorporate changes in relation to Member conduct. In preparation for the new Council, and as a result of some changes in legislation, it was considered appropriate to update the Council's Constitution.

Over the last 12 months, the Developing Democracy Group had been looking at the Council's Constitution with a view to updating it as a result of new statutory requirements and to make it a more helpful document.

As part of the continual review of processes for the development management process, it had been noted that there were some issues with the Scheme of Delegation for planning. Changes were proposed to this Scheme to create a more effective and efficient delegation process to fit current customer and business needs and an anticipated increase in the volume and complexity of applications.

DECISION: Members approved the following:

1. To approve the revised Scheme of planning Delegation, (as set out in Article 8 Section 4) as recommended by the Planning Committee with the modified proposal from the Developing Democracy Group, to take effect from 8th May 2015.

2. To adopt the revised Constitution to take effect from 8th May 2015.
3. To authorise the Head of Governance to make any typographical or related consequential amendments to produce publication versions of the document.

REASON FOR DECISION: To ensure the Council has an up-to-date Constitution which reflects the needs of the Authority and current legal requirements.

91 **GOVERNANCE COMMITTEE ANNUAL REPORT 2014-15**

INFORMATION: Councillor Johnson, Chairman of the Governance Committee, presented the report and updated Members on the work of the Governance Committee over the past 12 months.

DECISION: Members noted the Governance Committee's Annual Report for 2014-15.

REASON FOR DECISION: To note the activities of the Governance Committee during 2014-15.

92 **OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2014-15**

INFORMATION: Councillor Dr Evans, Chairman of the Overview and Scrutiny Committee, presented the report and updated Members on the work of the Overview and Scrutiny Committee over the past 12 months.

DECISION: Members noted the Overview and Scrutiny Committee's Annual Report for 2014-15.

REASON FOR DECISION: To note the activities of the Overview and Scrutiny Committee during 2014-15.

93 **REPORTS FROM THE LEADER AND CABINET MEMBERS AND ORAL QUESTIONS FROM COUNCILLORS - PUBLIC SESSION**

INFORMATION: Consideration was given to the reports of the Leader and Cabinet Members. The Chairman invited the Leader and the Cabinet Members to introduce their reports. Following this, the Chairman invited Members to ask questions. Questions were not limited to the content of the reports and could be about matters relating to a portfolio, the powers and duties of the Council, or to the District.

Councillor Butland, Leader of the Council, updated Members on his report regarding apprenticeships stating that not only had the target of 30 apprenticeships been met; but it had been exceeded and a total number of 37 apprenticeships had been taken up with local businesses. The Leader passed on his gratitude for the organisation of the day, the College at Braintree and the involvement of local businesses.

Councillor Butland reported also that following his meeting with the Principal of Maltings Academy, he was very pleased to announce that Ofsted had issued an outstanding report. The Leader had written to both of the Academies in Witham which had made significant improvements.

Councillor Butland added that Braintree District Council had been the only District Council to put forward representations to Essex County Council's Task and Finish Group on Educational Attainment. As a result of this, Councillor Ray Gooding, Cabinet Member for

Education and Life Long Learning had agreed to the establishment of an Education Improvement Board for the Braintree District.

Councillor Beavis, Cabinet Member for People and Participation, wished to pass on her thanks to staff and Andy Wright, Corporate Director, for their help and support over the past four years in delivering capital projects, in particular, the new Witham Leisure Centre.

Councillor Bebb, Cabinet Member for Performance and Efficiency, stated that with regard to Housing Benefits, around £56million was distributed by the Council to those individuals with the most housing needs. However there were a number of recipients who made fraudulent claims. All Housing Benefit overpayments, whether fraudulent or by simple error, were recoverable. Officers had been focusing specifically on the phased recovery of this type of debt, resulting recently in a significant increase in the amount of overpayment recovered throughout the year.

Councillor Bebb added also that at the end of the administrative year the Council was in a positive financial position. With a budget underspend and over achievement of income of just over £540,000 (4%) against the budget of £15.2million.

Councillor Lady Newton, Cabinet Member for Planning and Property, updated her report reminding Members that there were ten standards set out in the Council's homelessness strategy. One of the standards which the Council applied in respect of homelessness read "*not to place families in bed and breakfast accommodation unless in an emergency and for no longer than 10 weeks*". The Cabinet Member was pleased to inform Members that the Council had been awarded the Gold Standard for this particular service. Councillor Lady Newton thanked staff for their efforts and hard work in enabling the Council to achieve this Gold Standard.

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: <http://www.braintree.public-i.tv/core/>

The main topics covered were as follows:

- Further information on the Education Improvement Board.
- Recent developments at St Lawrence Surgery, Braintree and Silver End.
- Availability of GPs across the District.
- Possible development of health facilities in Witham.
- Availability of public transport to Community Hospitals.
- The number of affordable homes completed this year.
- Allocation of land for possible affordable housing developments.
- Update on the work proposed for the A131 Marks Farm Junction, Braintree.
- Possible developments at the Galleys Corner Roundabout, Braintree.
- Update on work taking place at Sandpit Lane, Braintree.
- Alternative recycling companies to those which have gone into liquidation.

94 **LIST OF PUBLIC MEETINGS HELD SINCE LAST COUNCIL MEETING**

INFORMATION: No matters were raised.

95 **CHAIRMEN'S STATEMENTS – PUBLIC SESSION**

INFORMATION: No statements were made.

96 **STATEMENTS BY MEMBERS - PUBLIC SESSION**

INFORMATION: No statements were made.

97 **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: The following annual reports were received from Council representatives on external organisations:

Organisation	Report Presented By
Braintree District Voluntary Support Agency (BDVSA)	Councillor Galione on behalf of Councillor Howell
Citizen's Advice Bureau	Councillor Sutton
Rivenhall Playing Fields Association	Councillor Abbott

DECISION: Members noted the External Organisations Annual Reports for 2014-15.

There were no matters raised in Private Session.

The meeting commenced at 7.15pm and closed at 9.42pm.

Councillor S A Wilson
(Chairman)

Council 13th April 2015 - Questions Asked/Statements Made

Speaker	Subject
Councillor Philip Hughes Silver End Parish Council	Agenda Item 11 – Amendments to the Constitution (in particular, proposed changes to the Scheme of Delegation for the determination of planning applications and the impact on Parish Councils)
Councillor Craig Martin Kelvedon Parish Council	Agenda Item 11 – Amendments to the Constitution (in particular, proposed changes to the Scheme of Delegation for the determination of planning applications and the impact on Parish Councils)
Councillor Don Smith Rayne Parish Council	Agenda Item 11 – Amendments to the Constitution (in particular, proposed changes to the Scheme of Delegation for the determination of planning applications and the impact on Parish Councils)