

# Minutes

## Council Meeting

22<sup>nd</sup> February 2017



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](http://www.braintree.gov.uk).

Present:

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
Councillor J Abbott	Yes	Councillor G Maclure	Apologies
Councillor Mrs J Allen	Yes	Councillor D Mann	Yes
Councillor M Banthorpe	Yes	Councillor J McKee	Yes
Councillor P Barlow	Yes	Councillor R Mitchell	Yes
Councillor J Baugh	Yes	Councillor Mrs J Money	Yes
Councillor Mrs J Beavis	Yes	Councillor Lady Newton	Yes
Councillor D Bebb	Yes	Councillor J O'Reilly-Cicconi	Yes
Councillor K Bowers	Yes	Councillor Mrs I Parker	Yes
Councillor Mrs L Bowers-Flint	Yes	Councillor Mrs S Paul	Yes
Councillor G Butland	Yes	Councillor Mrs J Pell	Yes
Councillor S Canning	Yes	Councillor R Ramage	Yes
Councillor J Cunningham	Yes	Councillor F Ricci (Chairman)	Yes
Councillor Mrs M Cunningham	Yes	Councillor B Rose	Yes
Councillor T Cunningham	Yes	Councillor Miss V Santomauro	Yes
Councillor M Dunn	Yes	Councillor Mrs W Scattergood	Yes
Councillor J Elliott	Yes	Councillor Mrs W Schmitt	Yes
Councillor D Garrod	Yes	Councillor P Schwier	Yes
Councillor J Goodman	Yes	Councillor C Siddall	Yes
Councillor A Hensman	Yes	Councillor Mrs G Spray	Apologies
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor D Hufton-Rees	No	Councillor Miss M Thorogood	Yes
Councillor D Hume	Apologies	Councillor R van Dulken	Yes
Councillor H Johnson	Yes	Councillor Mrs L Walters	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs S Wilson	Yes
Councillor S Kirby (Vice-Chairman)	Yes		

## 80 **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcements covered the following:

The Chairman was pleased to announce that three residents from the District had been recognised in the New Year's Honours, these were;

- Robert Fahey from Feering, received the MBE for services to sport (Real Tennis).
- Katrina Whittaker from Braintree received the British Empire Medal for services to people who are affected by mental health difficulties.
- Corinne Winwood from Witham received the British Empire Medal for Services to Youth Rugby in Essex.

The Chairman was delighted that their work in the community had been recognised and Members joined the Chairman in congratulating them on their awards.

On 17th January 2017 the Chairman had attended the Jack Petchey Foundation Achievement Awards. These awards were aimed at young people aged from 11 – 25 years, who were nominated by their peers or group leaders. Winners received a medal and a cheque for £250 for a variety of achievements. A total of 78 young people from the District received an award in recognition of their dedication and commitment and the Chairman congratulated all the winners.

Seven teachers and support staff from the Braintree District had won awards or had been highly commended at the recent Essex Teaching Awards. This was the fourth year of the Annual Awards which celebrated the outstanding work carried out in the County's schools and the Chairman had written letters of congratulations to all those involved.

The Leader did not have any announcements to make.

## 81 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

Councillor J Baugh declared a Non-Pecuniary Interest in Agenda Item 7 – 'Council Budget and Council Tax 2017-18 and Medium Term Financial Strategy 2017-18 to 2020-21' as a Director of Trustees for the Braintree District Museum Trust Ltd.

Councillor T Cunningham declared a Non-Pecuniary Interest in Agenda Item 7 – 'Council Budget and Council Tax 2017-18 and Medium Term Financial Strategy 2017-18 to 2020-21' as a Non-Financial Director of Ignite Business Enterprise.

Councillor J McKee declared a Non-Pecuniary Interest in Agenda Item 7 – 'Council Budget and Council Tax 2017-18 and Medium Term Financial Strategy 2017-18 to 2020-21' as a Director of the Warner Textiles Archive and the Braintree District Museum Trust Ltd.

Councillor C Siddall declared a Non-Pecuniary Interest in Agenda Item 7 – ‘Council Budget and Council Tax 2017-18 and Medium Term Financial Strategy 2017-18 to 2020-21’ as a Non- Financial Director of Ignite Business Enterprise.

In accordance with the Code of Conduct, Members remained in the meeting and took part in the debate and decision when the Items were considered, unless stated otherwise.

82 **QUESTION TIME**

**INFORMATION:** There were no questions asked, or statements made.

83 **MINUTES**

**INFORMATION:** That the Minutes of the meeting of Council held on 12th December 2016 were approved as a correct record and signed by the Chairman.

84 **PRESENTATION OF THE FIELDS IN TRUST AWARDS**

**INFORMATION:** The Chairman invited Councillor Mrs Schmitt, Cabinet Member for Environment and Place, along with officers Dave Lawrence, Phillip Taylor and Chris Mason to present the award.

In 2015 the Council applied to Fields in Trust (FIT) to protect four open spaces in perpetuity in honor of the memory of the millions of people who lost their lives in World War I. The sites were:

- Halstead Public Gardens
- Witham Memorial Gardens
- Witham Town Park
- Marshalls Park, Braintree (designated a ‘Showcase’ park by FIT on its website)

At their Annual Awards Ceremony, Braintree District Council received a ‘Partner of the Year’ award for the East of England in recognition of its exemplary commitment to the Centenary Fields programme and the safeguarding of open spaces.

The Council had also received a second award for Marshalls Park Braintree as ‘Showcase Centenary Field’.

Councillor Mrs Schmitt thanked officers on behalf of the Council for their continuous achievements and hard work in maintaining the green open spaces within the District.

85 **COUNCIL BUDGET AND COUNCIL TAX 2017-18 AND MEDIUM TERM FINANCIAL STRATEGY 2017-18 TO 2020-21**

**INFORMATION:** The Chairman informed Members that this Item would be dealt with in two parts. The first matter to be considered would be the Council Budget and recommendations from Cabinet. The second matter was the Council Tax Resolution.

Members were reminded that it was a requirement that all votes on this Item were recorded votes.

Several Members spoke on this Item and the debate can be viewed on the Council's website at: <http://www.braintree.public-tv/core/>

**(1) Recommendations from Cabinet held on 6th February 2017 - Council Budget and Council Tax 2017/18 and Medium Term Financial Strategy 2017/18 to 2020/21.**

**INFORMATION:** Councillor Butland, Leader of the Council introduced the report to Members for their consideration. Councillor Butland moved the recommendations in the report which were seconded by Councillor Bebb.

There followed a general debate on the budget. Once the debate had concluded a recorded vote was taken on the recommendations; the result of which was as follows:

**For the Motion**

Councillors: Mrs Allen, Banthorpe, Baugh, Mrs Beavis, Bebb, Bowers, Mrs Bowers-Flint, Butland, Canning, J Cunningham, Mrs M Cunningham, T Cunningham, Dunn, Elliott, Mrs Garrod, Goodman, Hensman, Horner, Johnson, Mrs Kilmartin, Kirby, McKee, Mitchell, Mrs Money, Lady Newton, O'Reilly-Cicconi, Mrs Parker, Mrs Paul, Mrs Pell, Ramage, Ricci, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Siddall, Tattersley, van Dulken, Mrs Walters and Mrs Wilson (41)

**Against the Motion**

Councillor: (0)

**Abstained**

Councillor: Abbott, Barlow, Mann and Miss Thorogood (4)

**Absent**

Councillors: Hufton-Rees, Hume, Maclure and Mrs Spray (4)

On being put to the vote, the motion was declared **CARRIED.**

**DECISION:** That the following be approved;

1. The budget variations to the current base budget as detailed in Section 3 of the main report;
2. The additional income and cost reductions as detailed in Section 5 of the main report;
3. The unavoidable revenue budget demands (£169,680) and new investments of £443,820, of which £252,000 to be funded from New Homes Bonus and capital resources; £150,000 from balances and £41,820 from revenue, as detailed in Section 4 of the main report;

4. That £39,652 of the administration subsidy for Universal Credit support be held in an earmarked reserve, to be utilised in respect of the next phase of the roll-out of Universal Credit and authorised by the Cabinet Member for Planning and Housing;
5. The package of support to claimants experiencing difficulties through changes in the Local Council Tax Support scheme as detailed in Section 10.7 of the main report;
6. The Council's discretionary fees and charges for 2017/18 as detailed in Appendix A to the main report;
7. Delegated authority is given to the appropriate Cabinet Member to determine the level of Trade Waste charges, Planning pre-application fees, Land Charges, sponsorship charges, Town Hall lettings, and Environmental permits for 2017/18;
8. The Council's housing rents are reduced by 1% for 2017/18, as detailed in Appendix A to the main report;
9. The surplus of £432,142 on the Business Rates Collection Fund be transferred to the Business Rates Retention Reserve;
10. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes;
11. To extend the Council's policy for Discretionary Business Rate Relief (under section 47 of the Local Government Act 1988) to include two schemes as recommended by the Government:
  - Local Newspapers - £1,500 discount for office space occupied by local newspapers for 2 years from 1<sup>st</sup> April 2017; and
  - Rural Rate Relief – 50% discretionary relief, in addition to the current 50% mandatory relief, to eligible businesses from 1<sup>st</sup> April 2017.
12. Discretionary council tax discounts and exemptions for 2017/18 are:
  - Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
  - Discount applicable to vacant dwellings is set at 0% for the six month period;
  - Discount applicable to second homes is set at 0%;
  - Empty Homes Premium charged on dwellings vacant for over two years be set at 50%;
13. The Council's Pay Policy for 2017/18 as detailed in Appendix F to the main report;
14. A transfer of £179,125 to the General Fund unallocated balance in 2017/18;

15. Transfers between earmarked reserves and back to the unallocated balance in 2016/17 and estimated drawdown from earmarked reserves for 2017/18 as detailed in Appendix G to the main report;

### **Capital**

16. The General Fund Capital bids for 2017/18 listed in Appendix H to the main report;

### **Treasury Management**

17. The Prudential Indicators and limits set out in Appendix J to the main report;

18. The Policy on Minimum Revenue Provision as recommended in Appendix J to the main report;

19. The Treasury Management Strategy, including annual investment strategy, for 2017/18 (Appendix J to the main report);

### **Council Tax**

20. The proposed estimates (producing a budget requirement for council tax purposes of £14,388,817) as detailed in Appendix D and the Council Tax for 2017/18 of £169.47 for a Band D property, having taking into consideration:

- The consultation feedback, if any, received and reported verbally at the meeting;
- The assessment of risks in the budget assumptions;
- The Equalities Impact Assessments and
- The Section 151 Officer's report on the robustness of the estimates and the adequacy of balances (Appendix L to the main report).

**REASON FOR DECISION:** To determine the budget and Council Tax level proposals for 2017/18, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

### **(2) Council Tax Resolution for 2017/18**

**INFORMATION:** Councillor Butland, Leader of the Council, introduced the report and moved the recommendations which were seconded by Councillor Bebb.

The results of the recorded vote on this matter were as follows:

### **For the Motion**

Councillors: Mrs Allen, Banthorpe, Barlow, Baugh, Mrs Beavis, Bebb, Bowers, Mrs Bowers-Flint, Butland, Canning, J Cunningham, Mrs M Cunningham, T Cunningham, Dunn, Elliott, Mrs Garrod, Goodman, Hensman, Horner, Johnson, Mrs Kilmartin, Kirby, Mann, McKee, Mitchell, Mrs Money, Lady Newton, O'Reilly-Ciconi, Mrs Parker, Mrs Paul, Mrs Pell, Ramage, Ricci, Rose, Miss Santomauro, Mrs Scattergood, Mrs Schmitt, Schwier, Siddall, Tattersley, Miss Thorogood, van Dulken, Mrs Walters and Mrs Wilson (44)

**Against the Motion**

Councillor: (0)

**Abstained**

Councillor: Abbott (1)

**Absent**

Councillors: Hufton-Rees, Hume, Maclure and Mrs Spray (4)

On being put to the vote, the motion was declared **CARRIED**.

**DECISION:** That the Council Tax Requirement and level of Council Tax for 2017/18, be approved in accordance with the resolution.

**REASON FOR DECISION:** To formally set the Council Tax Requirement and Council Tax rates for 2017/18.

86 **CONFIRMATION OF THE DEFERRAL OF THE SPECIAL MEETING OF COUNCIL FOR THE LOCAL PLAN**

**INFORMATION:** The report advised Member of the decision made by the Chief Executive not to hold the Special Meeting of Full Council on 7<sup>th</sup> February 2017 to consider the Pre-Submission Draft of the Local Plan and to defer the consideration of this to the meeting of Full Council scheduled for the 5<sup>th</sup> June 2017.

**DECISION:** That Members noted the decision to defer the consideration of the Pre-Submission Draft of the Local Plan to the 5<sup>th</sup> June 2017.

**REASON FOR DECISION:** To formally bring to Members attention the basis for the deferral of the consideration of the Pre-Submission Draft of the Local Plan.

87 **ACCEPTANCE OF DELEGATED POWERS IN RESPECT OF A PLANNING APPLICATION AT STAFFORD PARK, LISTON**

**INFORMATION:** Braintree District Council and Babergh District Council were in receipt of a planning application for Stafford Park, Liston which crosses the border between the two Councils' areas. The majority of the site sat within the Braintree District and accordingly Babergh District Council had delegated its planning functions to Braintree District Council for the application.

Members were asked to determine whether to accept the delegation of powers from Babergh District Council, and if accepted, to further delegate these to the Planning Committee to be exercised. The Planning Committee would consider the application in line with the established processes and procedures of Braintree District Council.

**DECISION:** That Council;

1. Accepted the delegation of the discharge of Babergh District Council's Planning Control functions under section 70(1) (Part III) of the Town and Country Planning Act 1990 to determine a cross boundary planning application in relation to land at Stafford Park, Clare Road, Long Melford in respect of the land within the Babergh District Council administrative area and its functions under Section 106

of the same Act to negotiate the terms of any necessary planning obligation subject to Babergh District Council's final approval.

2. Delegated such powers to the Planning Committee on the same terms as Article 8 of Braintree District Council's Constitution.

**REASON FOR DECISION:** To enable effective decision making and to receive the powers delegated by Babergh District Council.

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

**INFORMATION:** 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 the District.

Consideration was given to the reports of the Leader and Cabinet Members.

Councillor Butland referred to a typographical in his report in respect of the date for the report on the A120 Improvement and A12 Widening Consultations to Cabinet and clarified this should be 13<sup>th</sup> March 2017.

Councillor T Cunningham provided Members with a response to a question that was asked by Councillor Siddall at the meeting of the Overview and Scrutiny Committee held on 1<sup>st</sup> February 2017 in respect of utilizing the New Homes Bonus in terms of a catalyst to attract inward investment. The response was as follows:

“In respect of the Millennium slip roads, £2.5 million was allocated by Braintree District Council and had been match funded by another £2.5 million from Essex County Council. With regards to the Witham Enterprise Centre, £500,000 investment from the District Council had secured £700,000 from Essex County Council as well as land from the Developer. Regarding Chapel Hill an investment of £1.2 million had ensured that land would increase in value and deliver homes.”

Councillor McKee updated Members on recent investments; these included the Springwood Industrial Centre where £610,300 was invested and was now producing a return of £39,200, around 6.4%; Braintree Health Centre had had an investment of £1.814 million and £139,000, 7.6%, of income was being generated; and 3/4 Century Drive, £783,000 of investment with a return of £57,750 per year.

Councillor Mrs Schmitt added to her report that as required by the Police and Crime Act 2017 the Essex Police and Crime Commissioner was carrying out a consultation regarding closer collaborative work with Essex Fire and Rescue. Councillor Mrs Schmitt encouraged Members to visit the Police and Crime Commissioner's website to partake in the consultation and view a short informative video.

Councillor Tattersley updated Members on the relocation of the St Lawrence Doctors Surgery to the College at Braintree which was due to take place in early



March 2017. There had been some concerns amongst residents regarding the move and Officers from the Community Transport team had arranged to spend some time in the surgery to raise awareness of how the Community Transport Scheme works. The Community Transport team would also be visiting the new surgery following its opening on 20<sup>th</sup> March 2017 to offer support and advice for those having difficulties accessing the new location.

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:

- Potential roll out of Ultrafast Broadband in Wethersfield and the prospect of the roll out of Ultrafast Broadband in the District including potential impacts.
- The lack of signage throughout the District, in particular for the towns and Freeport.
- Reassurance for local communities who were following Government guidelines and producing Neighbourhood Plans, that in light of the recent decision by the Planning Committee to grant planning permission for the development of 118 houses in Crossing contrary to the Neighbourhood Plan that similar decisions would not be made.
- Update on the fast tracking of junction protection measures.
- Feedback from residents on the Council's decision to suspend the collection of green garden waste.
- Developing new ways of tackling the issue of litter in the District.
- Update on the Town Centre Regeneration Project in respect of the condition the roads and the need to attract businesses to the Braintree High Street.
- Possibility of rewards for volunteer litter pickers.
- Engagement with communities to encourage Community Champions.
- Details regarding the Great British Spring Clean event being held on 3<sup>rd</sup> March 2017.
- Possibility of extending the Livewell Child scheme to pre-schools and what additional support could be provided to pre-schools in the District.
- Monitoring improvements from complaints that had been made by residents in respect of the Witham Leisure Centre.
- Policy for replacing and monitoring equipment in parks.

- The influence that the Council has over Fusion in respect of the wages payable to Fusion employees, in line with the national minimum wage and the National Living wage.
- The lack of availability of outside activities and equipment for the elderly.
- Possibility and benefits of setting up a heritage hub for the District.
- Success of the Councillor Community Grants scheme.
- The need for better palliative care for the elderly.

89 **LIST OF PUBLIC MEETINGS HELD SINCE THE COUNCIL MEETING OF 17TH OCTOBER 2016**

**INFORMATION:** No matters were raised.

There were no matters raised in Private Session.

The meeting commenced at 7.15pm and closed at 9.17pm.

Councillor F Ricci  
(Chairman)