

Minutes

Council Meeting

23rd April 2014



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 (until 9.45pm)	Councillor J T McKee	Yes
Councillor M J Banthorpe	Yes	Councillor R G S Mitchell	Yes
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 (from 7.25pm)
Councillor E Bishop	Yes	Councillor J A Pell	Yes
Councillor R J Bolton	Apologies	Councillor R P Ramage	Yes
Councillor L B Bowers – Flint	Yes	Councillor D M Reid	Apologies
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor C A Cadman	Apologies	Councillor D E A Rice	Yes
Councillor S Canning	Yes	Councillor W J Rose	Yes
Councillor T G Cunningham	Yes	Councillor V Santomauro	Yes
Councillor J G J Elliott	Apologies	Councillor W D Scattergood (Chairman)	Yes
Councillor Dr R L Evans	Yes	Councillor W Schmitt	Yes (from 8.10pm)
Councillor A V E Everard	Yes	Councillor A F Shelton	Apologies
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	Apologies	Councillor C Siddall	Yes
Councillor M E Galione	Yes	Councillor G A Spray	Yes
Councillor C Gibson	Apologies	Councillor J S Sutton	Yes
Councillor M Green	Yes	Councillor J R Swift	Apologies
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor S A Howell	Yes	Councillor C M Thompson	Yes
Councillor H D Johnson	Yes	Councillor M Thorogood	Yes
Councillor S C Kirby	Yes	Councillor L S Walters	Yes
Councillor M C M Lager	Yes	Councillor R G Walters	Yes
Councillor C Louis	Yes	Councillor S A Wilson (Vice- Chairman)	Yes
Councillor D J Louis	Apologies	Councillor B Wright	Yes

78. **CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS**

The Chairman's announcements covered the following:

Commonwealth Day 10th March 2014 – Raising the Commonwealth flag at the Town Hall Centre, Braintree in celebration of the Commonwealth of Nations.

High Sheriff's Awards 19th March 2014 - Attending the High Sheriff's Awards, organised by the Essex Community Foundation, which had included the presentation of awards and grants to people and organisations in the District.

Business Excellence Awards 25th March 2014 – Attending the Business Excellence Awards to celebrate the success of small businesses and independent traders; and presenting the award for Best Business for Marketing.

Chairman's Civic Rural Business Reception 2nd April 2014 - Hosting the event at The Essex, Earls Colne Business Park, Earls Colne.

SaBRE (Support for Britain's Reservists and Employers) - Attending events organised by SaBRE and receiving a Certificate of Support from SaBRE in recognition of the Council's commitment to being a supportive employer of the Armed Forces' Reserves.

Councillor Anthony Shelton – Councillor Shelton has suffered a broken knee and he will not be able to attend Council meetings or events for the foreseeable future. On behalf of the Council, the Chairman wished Councillor Shelton a quick recovery.

The Leader did not have any announcements to make.

79. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

Councillor J E Abbott declared a non-pecuniary interest in Agenda Item 6 – 'Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations' as an elected Member and as Chairman of Rivenhall Parish Council, both of whom had submitted representations on the Draft Plan. Councillor Abbott declared a non-pecuniary interest also in Agenda Item 11d – 'Report of Councillor Lady Newton, Cabinet Member for Planning and Property' and, in particular, the reference to the Replacement Minerals Local Plan Examination as an elected Member of Essex County Council.

Councillor J S Allen declared a non-pecuniary interest in Agenda Item 6 – 'Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations' as an elected Member of Halstead Town Council.

Councillor P R Barlow declared a non-pecuniary interest in Agenda Item 16a – ‘External Organisations – Citizen’s Advice Bureau’ as a Trustee and Board Member of the Citizen’s Advice Bureau.

Councillor J Baugh declared a non-pecuniary interest in Agenda Item 11b – ‘Report of Councillor Beavis, Cabinet Member for People and Participation’ and, in particular, the reference to the Museum Service and Town Hall Feasibility Project as a Director and Trustee of Braintree District Museum Trust Limited.

Councillor J C Beavis declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Sible Hedingham Parish Council which had submitted representations on the Draft Plan.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Essex County Council.

Councillor A V E Everard declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ and, in particular, Site ASH3HALt – Street Farm, Ashen as the owner of the site was a former Braintree District Councillor and the Agent was a former employee of Braintree District Council, both of whom were known to him.

Councillor M J Fincken declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Halstead Town Council which had submitted representations on the Draft Plan.

Councillor S C Kirby declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Halstead Town Council.

Councillor M C M Lager declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Witham Town Council which had submitted representations on the Draft Plan.

Councillor J T McKee declared a non-pecuniary interest in Agenda Item 16c – ‘External Organisations – Ignite Business Enterprise’ as a Director of Ignite Business Enterprise.

Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Essex County Council and Member of Essex Fire Authority.

Councillor Pell declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Halstead Town Council; Chairman of the Friends of Halstead Public Gardens; and Chairman of Halstead Community Centre Charitable Trust.

Councillor W J Rose declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Witham Town Council.

Councillor C Siddall declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as a Member of the Local Development Framework Sub-Committee. Councillor Siddall declared a non-pecuniary interest in Agenda Item 11b – ‘Report of Councillor Beavis, Cabinet Member for People and Participation’ and, in particular, the reference to the Museum Service and Town Hall Feasibility Project as a Corporate Trustee of Braintree District Museum Trust Limited. Councillor Siddall declared a non-pecuniary interest also in Agenda Item 16c – ‘External Organisations – Ignite Business Enterprise’ as a Director of Ignite Business Enterprise.

Councillor Sutton declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as a Member of the Friends of Halstead Public Gardens.

Councillor M Thorogood declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as a Member of the Local Development Framework Sub-Committee.

Councillor R G Walters declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Essex County Council. Councillor Walters declared a non-pecuniary interest also in Agenda Item 16c – ‘External Organisations – Ignite Business Enterprise’ as a Director of Ignite Business Enterprise.

Councillor R Wright declared a non-pecuniary interest in Agenda Item 6 – ‘Recommendations from Local Development Framework Sub-Committee, 8th

April 2014 - Pre-Submission Draft Site Allocations and Development Management Plan – Representations’ as an elected Member of Rivenhall Parish Council.

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

80. **QUESTION TIME**

INFORMATION: Six statements were made on the Local Development Framework report, the details of which are listed in the Appendix to these Minutes.

81. **MINUTES**

DECISION: That the Minutes of the meeting of the Council held on 17th February 2014 be approved as a correct record and signed by the Chairman.

82. **RECOMMENDATIONS FROM LOCAL DEVELOPMENT FRAMEWORK SUB-COMMITTEE, 8TH APRIL 2014 - PRE-SUBMISSION DRAFT SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN – REPRESENTATIONS**

INFORMATION: Consideration was given to a report on the Local Development Framework. Reference was made to public consultation which had taken place in February and March 2014 on the Pre-Submission Site Allocations and Development Management Plan following its approval by Council on 23rd September 2013.

The report recommended that a number of technical changes should be made to the Plan followed by a further six week public consultation period, before its submission to the Planning Inspectorate for Examination. The report had been recommended to Council for approval by the Local Development Framework Sub-Committee at its meeting on 8th April 2014.

Councillor R Walters, Chairman of the Local Development Framework Sub-Committee, introduced the report and moved that the two recommendations set out within it be approved. The motion was seconded by Councillor Siddall.

Councillor Lady Newton, Cabinet Member for Planning and Property, reported that following the issue of Government Guidance in March 2014 it was apparent that the housing numbers required during the period of the District’s Plan would be higher than currently provided for. In the circumstances, additional information on future housing need and legal and technical advice were being sought. Once this had been received, a report would be presented to the Local Development Framework Sub-Committee and then to full Council in June 2014 recommending how the Local Development Framework process should proceed.

Councillor Lady Newton moved the following amendment which was seconded by Councillor Butland.

- (1) To approve the changes to the Pre Submission Site Allocations and Development Management Plan as set out in this report and Appendix 1 and ~~following proceed with a further public engagement period, submitted to the Planning Inspector for examination.~~
- (2) To approve the minor changes to the Pre Submission Site Allocations and Development Management Plan and ~~following proceed with a further period of public engagement, submitted to the Planning Inspector for examination.~~

On being put to the vote, the amendment was **CARRIED**.

Two further amendments to the Pre-Submission Site Allocations and Development Management Plan were moved, seconded and debated as set out below.

Councillor Pell moved the following amendment which was seconded by Councillor Fincken:

HTR6H - Former Senior Citizens' Centre, New Street, Halstead

'That the residential use designation of the 'picnic area' adjacent to the former Senior Citizens' Centre, Halstead be amended to formal recreation and the 'picnic area' incorporated within Halstead Public Gardens'.

On being put to the vote, the amendment was **LOST**.

Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

Policy ADM18A Essex Fire and Rescue Service Headquarters, Kelvedon Park (Site KEL6EAIt)

'That the designation of land at Kelvedon Park as a Special Employment Area be removed'.

On being put to the vote, the amendment was **LOST**.

The debate on this item may be viewed on the Council's website.

A vote was taken separately on the substantive motion and the following Decision was made:-

DECISION:

- (1) That the Council approves the changes to the Pre-Submission Site Allocations and Development Management Plan as set out in the report and Appendix 1 and proceeds with a further period of public engagement.
- (2) That the Council approves the minor changes to the Pre-Submission Site Allocations and Development Management Plan as set out in the report and proceeds with a further period of public engagement.

REASON FOR DECISION: To consider changes to the Pre-Submission Draft Site Allocations and Development Management Plan.

83. **RECOMMENDATIONS FROM CABINET, 31ST MARCH 2014 - LINKING THE BASIC MEMBER ALLOWANCE TO TRAINING AND DEVELOPMENT UNDERTAKEN**

INFORMATION: In response to the recommendations of the Independent Remuneration Panel, the Council had agreed on 22nd April 2013 that part of the Basic Member Allowance be linked to training and development undertaken by Members. The Member Development Working Group had been asked to develop proposals regarding this and these had been considered by Cabinet on 31st March 2014.

In discussing this item, it was suggested that consideration should be given to holding training events during the day as well as in the evening, and that Councillors should be given special dispensation if they were unable to attend an event due to for example bereavement, or long-term sickness.

In presenting the report, Councillor Beavis, Cabinet Member for People and Participation and Chairman of the Member Development Working Group, stated that the word 'bonus' in the third bullet point of Cabinet's decision was to be replaced by the words 'deferred payment'.

DECISION: That the amount of the Basic Member Allowance paid to individual Members be linked to their attendance at Member Evening training events, as set out in the report to Council, and that the scheme commences on 1st July 2015.

REASON FOR DECISION: To promote and demonstrate commitment to Member development and to support learning needs.

84. **ELECTORAL ARRANGEMENTS**

INFORMATION: On 26th March 2014, the Developing Democracy Group had supported proposals to provide alternative Polling Places for the Polling Districts of Little Maplestead and Tilbury Juxta Clare.

DECISION: That the proposals to re-designate the Polling Places for Little Maplestead and Tilbury Juxta Clare be supported as follows:-

Little Maplestead (DL) - St John the Baptist Church, Church Road, Little Maplestead

Tilbury Juxta Clare (DX) – Community House, Belchamp St Paul

REASON FOR DECISION: To ensure that suitable venues are secured for the conduct of elections.

85. **OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2013-14**

DECISION: That the Overview and Scrutiny Committee's Annual Report for 2013-14 be noted.

REASON FOR DECISION: To note the Overview and Scrutiny Committee's Annual Report.

86. **GOVERNANCE COMMITTEE ANNUAL REPORT 2013-14**

DECISION: That the Governance Committee's Annual Report for 2013-14 be noted.

REASON FOR DECISION: To note the Governance Committee's Annual Report.

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

INFORMATION: The Chairman announced that Agenda Item 11(a-f) - 'Reports from the Leader and Cabinet Members' had been merged with Agenda Item 12 - Oral Questions to form a single Item. 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.

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

Councillor Lady Newton, Cabinet Member for Planning and Property, added to her report that an explanatory leaflet about the 'Gateway to Homechoice - Choice Based Lettings Scheme' was available for Members to collect at the close of the meeting.

Councillor Siddall, Cabinet Member for Prosperity and Growth, added as a correction to his report that he had attended the Witham Industrial Watch launch of its Business Improvement District initiative renewal which had taken place on 14th March 2014 at Tiptree Patisserie.

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:

- The success of Braintree Town Football Club, Halstead Town Football Club and Witham Town Football Club in the current season.
- The concurrent scheduling of road works at the junctions of Bridge Street/Spinks Lane, Witham and Avenue Road/Collingwood Road, Witham which were causing major disruption in Witham, particularly at peak times.
- The poor maintenance of grass areas on the Humber Road estate, Witham following the award of a new maintenance contract by Greenfields Community Housing.

- The Replacement Minerals Local Plan Examination and the possible inclusion of a reference by Councillor Lady Newton, Cabinet Member for Planning and Property, to the site at Coleman's Farm, Little Braxted Lane, Witham in her response to Essex County Council's latest period of public consultation.
- The provision of car parking at Eckard House, Witham, concern regarding additional traffic and access issues.
- The proposed withdrawal of three school crossing patrols by Essex County Council.
- Changes to Building Regulations.
- Latest proposals by Henry Boot to redevelop land behind the Town Hall, Braintree as part of Braintree town centre regeneration and the need to make provision for people queuing for buses.
- Update on possible improvements to the A120/A131 Marks Farm Roundabout, Braintree.
- Silver End Conservation Area Appraisal and Management Plan and, specifically, the consideration of car parking problems in School Road and Valentine Way, Silver End.
- Update on when rural communities will be advised about the availability of superfast Broadband.
- The Tour de France and possible issues relating to the provision of car parking for spectators.
- Witham Leisure Centre - invitation to Councillors to view the new facilities.

The following action was agreed in response to a question raised by a Member:

- Councillor Lady Newton, Cabinet Member for Planning and Property, agreed to consider including a reference to the site at Coleman's Farm, Little Braxted Lane, Witham in her response to Essex County Council's public consultation on the Replacement Minerals Local Plan.

88. **LIST OF PUBLIC MEETINGS HELD SINCE LAST COUNCIL MEETING**

INFORMATION: No matters were raised.

89. **CHAIRMEN'S STATEMENTS – PUBLIC SESSION**

INFORMATION: No statements were made.

90. **STATEMENTS BY MEMBERS - PUBLIC SESSION**

INFORMATION: No statements were made.

91. **BUSINESS OF EXTERNAL ORGANISATIONS**

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

Organisation	Report Presented By
Citizen's Advice Bureau	Councillor Sutton
Braintree District Voluntary Support Agency (BDVSA)	Councillor Howell
Ignite Business Enterprise	Councillor Siddall, Cabinet Member for Prosperity and Growth

There were no matters raised in Private Session.

The meeting commenced at 7.15pm and closed at 9.54pm.

Councillor W D Scattergood
(Chairman)

Council 23rd April 2014 - Questions Asked/Statements Made

Speaker	Subject
Mrs Anne-Maree Robertson	Item 6 - Pre-Submission Draft Site Allocations and Development Management Plan - Representations Site HTR6H - Halstead Public Gardens/Picnic Field and former Senior Citizen's Centre Site, Halstead
Mrs Helen Wolf	Item 6 - Pre-Submission Draft Site Allocations and Development Management Plan - Representations Public consultation process and Policy ADM 36 - Land to the East of the High Street, Halstead
Mr Martin Elms	Item 6 - Pre-Submission Draft Site Allocations and Development Management Plan - Representations Site GRM5HAlt - Treeways, Great Maplestead
Mrs Katy Stimpson	Item 6 - Pre-Submission Draft Site Allocations and Development Management Plan - Representations Site PEB8HAlt – Pebmarsh
Mrs Eileen Penn	Item 6 - Pre-Submission Draft Site Allocations and Development Management Plan - Representations Policy ADM 36 - Land to the East of the High Street, Halstead
Cllr Ian Johnson	Item 6 - Pre-Submission Draft Site Allocations and Development Management Plan - Representations Site GRM5HAlt - Treeways, Great Maplestead