

Minutes

Council Meeting

14th December 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 Abbott	Yes	Councillor D Mann	Yes
Councillor Mrs J Allen	Yes	Councillor J McKee	Yes
Councillor C Bailey	Yes	Councillor R Mitchell	Yes
Councillor M Banthorpe	Yes	Councillor Mrs J Money	Apologies
Councillor J Baugh	Apologies	Councillor Lady Newton	Yes
Councillor Mrs J Beavis	Yes	Councillor J O'Reilly-Cicconi	Yes
Councillor D Bebb	Apologies	Councillor Mrs I Parker	Yes
Councillor R Bolton	Apologies	Councillor Mrs S Paul	Yes
Councillor K Bowers	Yes	Councillor Mrs J Pell	Yes
Councillor Mrs L Bowers-Flint	Yes	Councillor R Ramage	Yes
Councillor G Butland	Yes	Councillor F Ricci (Vice-Chairman)	Yes
Councillor S Canning	Yes	Councillor B Rose	Yes
Councillor J Cunningham	Yes	Councillor Ms V Santomauro	Yes
Councillor Mrs M Cunningham	Yes	Councillor Mrs W Scattergood	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Schmitt	Yes
Councillor M Dunn	Yes	Councillor P Schwier	Yes
Councillor J Elliott	Apologies	Councillor C Siddall	Yes
Councillor J Goodman	Yes	Councillor Mrs G Spray	Yes
Councillor A Hensman	Yes	Councillor P Tattersley	Yes
Councillor P Horner	Yes	Councillor Mrs C Thompson	Yes
Councillor D Hufton-Rees	Yes	Councillor Miss M Thorogood	Yes
Councillor D Hume	Yes	Councillor R van Dulken	Apologies
Councillor H Johnson	Yes	Councillor Mrs L Walters (Chairman)	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs S Wilson	Yes
Councillor S Kirby	Apologies		

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

The Chairman's announcements covered the following:

- Civic Christmas Celebration - The Chairman was delighted to host a civic evening of carols and music at St Peters in the Fields Church, Braintree on 10th December 2015 to celebrate the Christmas season. The event involved Lyons Hall Primary School Choir, Braintree Male Voice Choir and the Church Choir all participating. The congregation was

made up of representatives from the Chairman's Charities, District Councillors, Civic Heads, St Peters Church congregation and community and voluntary groups who the Chairman had visited throughout the year.

The Leader did not have any announcements to make.

52 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared.

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Agenda Item 12 – Independent Remuneration Panel's Recommendations on the Members' Allowance Scheme, for transparency, as she was a beneficiary of one of the recommended changes, namely the recipient of two Special Responsibility Allowances for her roles as Chairman of the Local Plan Sub-Committee and Deputy Cabinet Member for Planning and Housing. Councillor Mrs L Bowers-Flint left the Chamber for this item.

Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 13 – Reports from the Leader and Cabinet Members as a question was raised with regard to proposals for an additional runway in the South East as her daughter is the Director for Strategy and Planning at Heathrow Airport.

53 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

54 **MINUTES**

INFORMATION: It was brought to the attention of Members that there was an error in the Minutes of the Council Meeting held on 19th October 2015 with regard to the attendance of Councillor Ms Santomauro. This had now been amended to show that Councillor Santomauro had been in attendance.

DECISION: That the Minutes of the meeting of the Council held on 19th October 2015 be approved as a correct record and signed by the Chairman.

55 **AWARD PRESENTATION FOR THE BEST KEPT PLAYING FIELD**

INFORMATION: The Chairman was pleased to report that the award for the Best Kept Playing Field had been re-awarded to the Council. The Chairman was delighted to accept the award on behalf of the Council from Councillor Mrs Schmitt, Cabinet Member for Environment and Place, who commended Nick Day, Alvin Mann and the rest of their team for their consistent and outstanding efforts in the upkeep of the green open spaces in the District.

56 **AWARD PRESENTATION FOR CLEAN BRITAIN**

INFORMATION: The Chairman was delighted to report that Braintree District Council had won the Clean Britain Award for the sixth year. The Chairman was pleased to accept the award on behalf of the Council from Councillor Mrs Schmitt, Cabinet Member for Environment and Place who thanked Paul Partridge Richard Bass and the rest of the team for their hard work and dedication.

AWARD PRESENTATION FOR LOCAL AUTHORITY CHALLENGE AND BUSINESS APPRENTICE OF THE YEAR

INFORMATION: The Chairman was pleased to report that the award for the Local Authority Challenge for the East of England and East Midlands area had been won by Braintree District Council.

Members were informed that on 27th October 2015, over 32 teams from Authorities across the East of England and the East Midlands had attended Duxford Air Museum for a team development challenge designed to stretch and develop talent within Local Authorities. For the second year running Braintree District Council had entered a team of six Officers from services across the organisation including Anthony Edwards, Dominic Warren, Janet Whyte, Joby Humm, Mark Wilson and Nina Pegler. The team had been commended for their enthusiasm, hard work and spirit and they had been crowned as Champions of the Region.

On behalf of the Council, the Chairman was pleased to accept the award for the Local Authority Challenge, from Councillor McKee, Cabinet Member for Corporate Services and Asset Management.

Members were also advised that on 5th October 2015 Central Training, the Council's Level 2 Apprentice training provider, had held their annual apprentice graduation event. Over 100 graduates had attended from a variety of business sectors.

Braintree District Council apprentices had attended the event and they had been awarded with their completion certificates. A special award had been presented for "Essex Business Apprentice of the Year". This involved apprentices from across Essex competing against each other. Two Braintree District Council apprentices Paige Chapman (Human Resources) and Lacey Latimer (Licencing) had been nominated as finalists. It was reported, with great pleasure, that Lacey Latimer had been announced as the winner of the Essex Business Apprentice of the Year.

Lacey was invited to collect her award from the Chairman who congratulated her on behalf of the Council.

In reflecting on all of the achievements announced, Councillor Mrs Bowers-Flint paid tribute to Nicola Beach, Chief Executive for her success in leading the Council's staff. This was echoed amongst Members around the Chamber.

RECOMMENDATION FROM CABINET, 30TH NOVEMBER 2015 – LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2016-17

INFORMATION: Members were reminded that the Local Council Tax Support Scheme had been first introduced in 2013 and had essentially remained unchanged since that time. The main principle underlying the scheme was that all working age claimants should be liable for 20% of their local Council Tax based on a Band D property.

However, it was proposed that the minimum liability of 20% for all working age claimants should be increased to 24%. This increase was in line with a number of other Essex Authorities.

The estimated shortfall for the coming financial year was at £201,000. It was reported that the proposed changes would reduce the shortfall by £42,000.

DECISION: To agree the Braintree District Council's Local Council Tax Support scheme for 2016/17 as detailed on the Council's website

http://www.braintree.gov.uk/info/200302/benefits/367/housing_benefit_and_council_tax_support:

including the following changes to the current year's scheme:

- Increase the minimum liability that working age claimants have to pay to 24%;
- Introduce a minimum level of income for claimants who are self-employed, the level to be the National Living Wage;
- Remove the Family Premium for new claims after 1st May 2016; and
- Reduce the amount of time a claim can be backdated from three months to one month.

REASON FOR DECISION: To seek agreement by Full Council of the Local Council Tax Support scheme for the Braintree District from 1st April 2016.

59 **RECOMMENDATION FROM LICENSING COMMITTEE, 18TH NOVEMBER 2015 -
LICENSING ACT 2003 STATEMENT OF LICENSING POLICY**

INFORMATION: Consideration was given to a report on the proposed review of the Council's Statement of Licensing Policy in accordance with the Licensing Act 2003.

The Council had last reviewed the Statement of Licensing Policy in 2010 and the revised Policy had taken effect on 7th January 2011. The Council was required to publish its policy at least every five years and to keep it under review.

It was reported that since the last review, there had been a number of significant changes to the Licensing Act 2003 and the Guidance issued under Section 182 of the Act. Whilst the changes to legislation would be reflected in technical changes to the Policy, the Council did not propose to introduce any new initiatives or special policies at this time.

The draft Statement of Licensing Policy had been subject to public consultation for a period of 12 weeks. One response had been received.

DECISION: That the Braintree District Statement of Licensing Policy 2016 be approved.

REASON FOR DECISION: To approve the revised Braintree District Council Statement of Licensing Policy 2016. This will allow Braintree District Council to meet the timescales set by the Licensing Act 2003.

60 **RECOMMENDATION FROM LICENSING COMMITTEE, 9TH SEPTEMBER 2015 -
BRAINTREE DISTRICT COUNCIL'S REVISED LICENSING POLICY STATEMENT IN
RESPECT OF THE GAMBLING ACT 2005**

INFORMATION: Members considered the revised Braintree District Council Licensing Policy Statement in respect of the Gambling Act 2005. Each Authority was legally required to formulate its own Gambling Licensing Policy Statement, which must be reviewed and re-published every three years. The draft policy had been subject to public consultation for a period of 4 weeks. The Council's current Statement had come into effect on 5th June 2013.

DECISION: That the draft Braintree District Council Gambling Licensing Policy Statement be approved.

REASON FOR DECISION: To ensure that the Council has adopted a Gambling Licensing Policy Statement in accordance with the Gambling Act 2005.

61 **INDEPENDENT REMUNERATION PANEL'S RECOMMENDATIONS ON THE MEMBERS' ALLOWANCE SCHEME**

INFORMATION: Members were advised that in accordance with the Local Authority (Members' Allowances) Regulations 2003 the Council had established an Independent Remuneration Panel to consider the Council's Members' Allowances scheme and to recommend changes. It was at the Council's discretion to accept, or reject the recommendations put forward by the Panel.

Members were advised that the Panel had carried out a full review of the scheme in January 2015 and an interim review had taken place following the elections in May 2015.

DECISION: That Council;

1. Adopt the changes to the Members' Allowance Scheme as attached to the Agenda report with effect from 15th December 2015.
2. Authorise the Head of Governance to incorporate the Scheme within the Constitution and to make such typographic amendments as are necessary to do this.
3. Authorise the current members of the Independent Remuneration Panel, together with the Head of Governance, to form an interview panel to interview candidates for vacancies on the Panel and to authorise the Head of Governance to appoint to the vacant positions.

REASON FOR DECISION: To approve the recommendations of the Independent Remuneration Panel on the Council's Members' Allowance Scheme.

62 **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, Leader of the Council, added to his report by referring to the proposed changes to the Localism Fund set out in the Budget proposals. The Leader had met with representatives of the Braintree Association of Local Councils to discuss the proposed changes and a letter had been sent to all Parish Councils.

Councillor Butland, Leader of the Council, added to his report by updating Members on the devolution process. The Leaders of the Authorities in Essex had met on 3rd December 2015 to review the first draft of the proposal to be put to Government. At this stage, details of the proposal were still to be confirmed. It was anticipated that an agreement would be reached

locally by March 2016. The next Leaders meeting would be held on 22nd January 2016, when they would meet for the first time as the Devolution Board. Engagement with partners, especially businesses, had increased and presentations had recently been made to SELEP, Greater Essex Business Board and the Skills Board. Discussions had also taken place with local MPs. Members were reminded that the Cities and Local Government Devolution Bill had passed the report stage [with some amendments] in the House of Commons on 7th December 2015.

Councillor Lady Newton, Cabinet Member for Planning and Housing, added to her report by referring to the works currently taking place at Galleys Corner Roundabout, Braintree. Councillor Lady Newton informed Members that she had sought information on road safety audits for Galleys Corner and had received a response from Highways England. Members were advised that data was made available 3-6 months after a collision. Highways England had confirmed that a 12 month road safety audit was underway and it was anticipated that the report on this would be finalised in early 2016.

Councillor Mrs Schmitt, Cabinet Member for Environment and Place, added to her report by referring to training undertaken by taxi drivers with regard to Hidden Harm. Hidden Harm covered such matters as child sexploitation, modern slavery and domestic abuse. The training had been very successful and booklets were being printed to pass on to all taxi drivers covering these issues.

Councillor Mrs Schmitt made reference also to the Contact magazine that had recently been distributed across the District. The magazine contained details on Christmas waste collection. This information had also been placed on all bins throughout the District.

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:

- Proposals for Sudbury bypass and how this may impact on surrounding villages; and whether Braintree District Council would be consulted.
- Impact of phasing out of the Localism Fund.
- Press article relating to new garden towns.
- Cuts to policing budgets, and the proposed reduction in the number of PCSO's in Essex.
- Details on the meeting of the Essex Police and Crime Panel and the Police Public Contact Plan.
- Promoting the use of the footpath network in the District.
- Details relating to the proposed initiative from Essex County Council with regard to obesity in Essex.
- Cost of revised proposals for improvement work in Witham and Halstead Town Centres.

- Update on work to the Springwood Drive Industrial Estate, Braintree.
- Roll out of superfast broadband and areas that were not covered.
- Update on proposed works due to take place at Marks Farm Roundabout, Braintree including cycling and pedestrian access.
- Potential Section 106 funding for Halstead and Witham following the Henry Boot town centre development in Braintree.
- The need for improvements to the road network on the A12 and A120 in relation to supporting the Local Plan.
- Details on the Industrial Estate Improvement scheme for the Bluebridge Industrial Estate, Halstead.
- How to improve communication and evidence obtained from Essex County Council following their comments with regard to there being no requirement for pre-school provision in the Silver End and Cressing Ward.
- Update on ICT project and whether this is on track to finish in March 2016.
- Possibility of food recycling bins being provided in flats across the District.
- Details on the flood alleviation proposals at Oak Road, Rivenhall.
- Progression on discussions with Witham Allotment and Garden Association with a view to them taking over the day to day management of the Cut Throat Lane Allotments.
- Opportunity for residents of the District to sign up to the Braintree Essex Energy Switch.
- Noise pollution caused by the Anglian Water recycling facility at Blackwater Lane, Witham

The following actions were agreed in response to questions raised by Members:

- Councillor T Cunningham, Cabinet Member for Economic Development, agreed to provide further details on the Industrial Estate Improvement scheme for the Bluebridge Industrial Estate, Halstead.
- Councillor McKee, Cabinet Member for Corporate Services and Asset Management, agreed to provide details of how the Contact magazine is distributed across the District.
- Councillor Mrs Schmitt, Cabinet Member for Environment and Place, agreed to provide confirmation of the type of 412 litre bins (whether top loading or slot opening) which will be distributed for dry recycling in flats, and the unit cost of these bins.

- Councillor Mrs Schmitt, Cabinet Member for Environment and Place, agreed to provide further details on the proposed flood remediation scheme and works for Oak Road, Rivenhall.
- Councillor Mrs Schmitt, Cabinet Member for Environment and Place, agreed to provide detail as to whether Officers would have powers of entry to inspect, or to undertake works to properties in accordance with the Smoke and Carbon Monoxide Alarm (England) Regulations 2015.

63 **LIST OF PUBLIC MEETINGS HELD SINCE THE COUNCIL MEETING OF 19TH OCTOBER 2015**

INFORMATION: No matters were raised.

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

INFORMATION: No statements were made.

65 **STATEMENTS BY MEMBERS - PUBLIC SESSION**

INFORMATION: No statements were made.

66 **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: There were no reports received from Council representatives on external organisations, or issues raised.

There were no matters raised in Private Session.

The meeting commenced at 7.15pm and closed at 8.53pm.

Councillor Mrs L Walters
(Chairman)