

COUNCIL

AGENDA



THIS MEETING IS OPEN TO THE PUBLIC

<http://www.braintree.gov.uk/Braintree/councildemocracy/committees/Council>

Date: Monday 21st July 2008

Time: 7.15 pm

Venue: Council Chamber, Causeway House, Bocking End, Braintree CM7 9HB

Membership:

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| Councillor J E Abbott | Councillor M G Gage | Councillor J P O'Reilly-Cicconi |
| Councillor M J Banthorpe | Councillor Mrs M E Galione | Councillor Mrs R O'Shea |
| Councillor Miss L Barlow | Councillor J E B Gyford | Councillor Mrs J A Pell |
| Councillor J Baugh | Councillor N R H O Harley | Councillor R Ramage |
| Councillor Mrs J C Beavis | Councillor Mrs S A Howell | Councillor D M Reid |
| Councillor D L Bebb | Councillor P J Hughes | Councillor D E A Rice |
| Councillor E Bishop | Councillor D L Hume | Councillor W Rose |
| Councillor R J Bolton | Councillor M C M Lager | Councillor Mrs C Sandbrook |
| Councillor G Butland | Councillor S J Lambourne | Councillor Mrs W D Scattergood |
| Councillor J C Collar | Councillor E R Lynch | Councillor Mrs J W Schmitt |
| Councillor M Dunn | Councillor M Lynch | Councillor A F Shelton |
| Councillor Mrs E Edey | Councillor D Mann | Councillor Mrs L Shepherd |
| Councillor J G J Elliott | Councillor T McArdle | Councillor Mrs J A Smith |
| Councillor R Elliston | Councillor N G McCrea | Councillor Mrs G A Spray |
| Councillor Dr R L Evans | Councillor J McKee | Councillor F Swallow |
| Councillor A V E Everard | Councillor H J Messenger | Councillor Miss M Thorogood |
| Councillor J H G Finbow | Councillor A M Meyer | Councillor S M Walsh |
| Councillor Ms L B Flint | Councillor R G S Mitchell | Councillor R G Walters |
| Councillor T J W Foster | Councillor Mrs J M Money | Councillor R N Wilkins |
| Councillor Mrs B A Gage | Councillor Lady Newton (Chairman) | Councillor T S Wilkinson |

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. During this period Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Law & Governance Section on 01376 551414 or e-mail eileen.self@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham and Halstead.

Members of the Council are requested to attend the above meeting, to transact the following business: -

PUBLIC SESSION

1. **Apologies for Absence**
2. **To receive any announcements/statements from the Chairman.**
3. **Declarations of Interest.**
 - (a) To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.
 - (b) Any member with a personal and prejudicial interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time
4. **Minutes.** To approve as a correct record the minutes of the Council held on 9th June 2008. (Copy previously circulated)
5. **Question Time.** (See above paragraph)
6. To consider the **Notice of Motion** as follows

'That this Council gives full support to Witham Town Council's efforts to secure from the Mid Essex PCT substantial improvements in the health services in Witham with specific regards to the provision of clinics and other health services which will bring Witham up to equal levels of health service provision to that of Braintree, Halstead, Maldon and other urban centres in the Mid Essex Area and also resolves to lobby the Mid Essex PCT with the same commitment it gave to the Braintree Hospital Campaign.,

Appropriate notice of the motion has been given to the Chief Executive under Rule 11 of Part 4 of the Constitution and the motion has been signed by Councillor Dr R L Evans, seconded by Councillor J E B Gyford and supported by Councillors Miss L Barlow, E R Lynch, D Mann and Miss M Thorogood. Please note that under Rule 11.3(b) if signed by at least six Members of the Council the motion shall be dealt with at the meeting.

7. **Changes to Committee Membership 2008/09.** To consider appointments to Committees/Panels.
8. **Policy Recommendations and References.**

To consider any other policy recommendations and references which have arisen within the last meetings' cycle. (Cabinet Minutes to follow)

 - Cabinet 7th July 2008 - Best Value Performance Plan

9. **Statements by Members.**

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

- Cllr Wilkins – Access to and from Braintree High Street and its use by HGV's

(Please note that the maximum time set aside for item 9 shall not exceed 30 minutes)

10. **Question Time**

- (i) **Leader's Statement** or statement by Cabinet Members on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for item 10 (ii) shall not exceed 30 minutes)

- (iii) **Chairmen's Statements.** To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements. *None have been received.*
- (iv) To receive and raise any matters arising from the **minutes of meetings in public session** published since the Council Meeting on 9th June 2008. (Paper attached – Page 1)

11. To receive reports about and receive questions and answers on the **business of external organisations** *(if any)*.

Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.

PRIVATE SESSION

12. **Statements by Members – Private Session**

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

There are no statements

(Please note that the maximum time set aside for item 12 shall not exceed 30 minutes)

13. Question Time - Private Session

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants and which contain exempt information. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for item 13(ii) shall not exceed 30 minutes)

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements - There are none.
- (iv) To receive and raise any matters arising from the **minutes of meetings in private session** published since the Council Meeting on 9th June 2008 – *There are none.*

- 14. Private Session Policy Recommendations.** To consider any policy recommendations (in private session) which have arisen within the last meetings' cycle – *There are none.*

If you are unable to attend the meeting please forward your apologies for absence to Eileen Self on (01376) 551414 or email eileen.self@braintree.gov.uk The last page of this agenda is numbered 1.

A J REID
Chief Executive

Health and Safety

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

Mobile Phones

Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at <http://www.braintree.gov.uk/Braintree/councildemocracy>

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended

Date of Meeting

Comments.....
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Contact details.....