

# Minutes

## Annual Meeting the Council

24th April 2017



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available 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	Yes
Councillor Mrs J Allen	Yes	Councillor D Mann	Yes
Councillor M Banthorpe	Yes	Councillor J McKee	Yes
Councillor P Barlow	Yes	Councillor R Mitchell	Apologies
Councillor J Baugh	Yes	Councillor Mrs J Money	Yes
Councillor Mrs J Beavis	Apologies	Councillor Lady Newton	Yes
Councillor D Bebb	Yes	Councillor J O'Reilly-Cicconi	No
Councillor K Bowers	Yes	Councillor Mrs I Parker	Yes
Councillor Mrs L Bowers-Flint	Yes	Councillor Mrs S Paul	Apologies
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 Mrs D Garrod	Yes	Councillor P Schwier	Yes
Councillor J Goodman	Yes	Councillor C Siddall	Yes
Councillor A Hensman	Yes	Councillor Mrs G Spray	Yes
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor D Hufton-Rees	No	Councillor Miss M Thorogood	Yes
Councillor D Hume	Yes	Councillor R van Dulken	Yes
Councillor H Johnson	No	Councillor Mrs L Walters	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs S Wilson	Yes
Councillor S Kirby (Vice-Chairman)	Yes		

## 1 **CHAIRMAN'S CHARITIES 2016/17**

The Chairman was pleased to announce that throughout the course of the year £3306 had been raised for his chosen charities. The monies raised had been divided equally between the two chosen charities and the Chairman presented cheques to representatives of his nominated charities for the Civic Year 2016/17:

Halstead and Witham Home Start  
Essex Search and Rescue

The Chairman thanked all those who had participated in events including the Chairman's Charity Golf Day, casual dress days, the Apprentice's Quiz Night and all others who had helped to raise funds and who had donated money throughout the year.

## 2 **CHAIRMAN'S ADDRESS TO COUNCIL**

**INFORMATION:** The Chairman made a presentation of a citation of service to Councillor Mrs Jackie Pell who, this year, would complete 30 years of continuous service as a Braintree District Councillor. The Chairman congratulated Councillor Mrs Pell on her achievement and continuous contribution to the Council.

Councillor Ricci stated that during his year as Chairman he had had the honour of visiting numerous clubs and organisations throughout the District and that it had been a privilege to meet some very inspiring people. The Chairman made reference the outstanding contributions made by volunteers throughout the District and encouraged support and recognition for volunteers and commended them for the invaluable services they provide.

The Chairman extended his thanks to his Director and Chief Operating Officer at London City Airport for his understanding and support; to Councillor Butland for his nomination for both Vice-Chairman and Chairman of the Council; to Nicola Beach and the Executive Team for their assistance; to the past Madam Chairman for her invaluable advice; to the Vice-Chairman for stepping in when necessary; to the civic team for their guidance, planning and organisation; and finally to his family for their continuous support throughout the year.

## 3 **PRESENTATION TO THE OUTGOING CHAIRMAN**

**INFORMATION:** The Chief Executive thanked Councillor Ricci, the outgoing Chairman, and presented him with a signed citation denoting his past Chairmanship, an album recording the events from his year in Office and his past Chairman's badge.

Councillors Butland, Mann, Mrs Pell and Abbott all commended Councillor Ricci respectively on behalf of the Conservative, Labour, Halstead Residents' Association and Green Councillors for all his work as Chairman of the Council.

## 4 **ELECTION OF CHAIRMAN FOR THE CIVIC YEAR 2017/18**

**DECISION:** That Councillor S Kirby be elected as Chairman of the Council for the Civic Year 2017/18. Councillor Kirby gave an acceptance address to the Council and he announced that his chosen charities for 2017/18 would be on the theme of care in

the community, in particular young and elderly careers and mental health support. Councillor Kirby advised Members that he would announce the names of his chosen charities at the next meeting of Full Council.

**5 APPOINTMENT OF VICE-CHAIRMAN FOR THE CIVIC YEAR 2017/18**

**DECISION:** That Councillor Miss Santomauro be appointed Vice-Chairman of the Council for the Civic Year 2017/18. Councillor Miss Santomauro gave an acceptance address to the Council.

**6 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL**

There were no announcements.

**7 MINUTES**

**DECISION:** That the Minutes of the meeting of the Council held on 27th March 2017 be approved as a correct record and signed by the Chairman.

**8 DECLARATIONS OF INTEREST**

**INFORMATION:** There were no interests declared.

**9 LEADER OF THE COUNCIL**

**INFORMATION:** It was noted that Councillor Butland is the Leader of the Council, as appointed at the Council meeting of 28th May 2015 for the four year term of the Council.

**10 LEADER'S ANNOUNCEMENTS**

**Members of the Cabinet, Portfolio Areas and Deputy Cabinet Members**

**INFORMATION:** The Leader of the Council confirmed the following names and portfolio areas of the Members of the Cabinet and Deputy Cabinet Members, which were noted:-

<b>OVERALL CORPORATE STRATEGY AND DIRECTION</b>		
		<b><i>Portfolio Areas:</i></b>
<b>Leader of the Council</b>	<b>Councillor Graham Butland</b>	Overall Vision and Strategic Direction Strategic Partnerships Devolution Strategic Economic Growth Promotion of the District External Relations Electoral Administration
<b>ENVIRONMENT AND PLACE</b>		
		<b><i>Portfolio Areas:</i></b>
<b>Cabinet</b>	<b>Councillor Mrs Wendy</b>	Clean and Green Street cleansing and parks

<b>Member and Deputy Leader</b>	<b>Schmitt</b>	Landscapes and Countryside Regulatory functions (licensing, environmental health, building control) Community Safety Safeguarding Armed Forces Covenant Emergency Planning
<i>Deputy Cabinet Member</i>	<i>Councillor Robert Mitchell</i>	<i>Carbon and Energy Management Waste Management/Recycling Highways and Parking</i>
<b>PLANNING AND HOUSING</b>		
		<b>Portfolio Areas:</b>
<b>Cabinet Member</b>	<b>Councillor Mrs L Bowers-Flint</b>	Local Plan Infrastructure, Planning and Development Development Management Planning Enforcement Affordable Housing Housing/Homelessness Welfare Reform
<i>Deputy Cabinet Member</i>	<i>Councillor Mrs G Spray</i>	
<b>ECONOMIC DEVELOPMENT</b>		
		<b>Portfolio Areas:</b>
<b>Cabinet Member</b>	<b>Councillor Tom Cunningham</b>	Economic Development Strategy Regeneration Business Engagement and Support Broadband Enterprise centres Inward Investment Town Centres Apprenticeships Skills Education Improvement
<i>Deputy Cabinet Member</i>	<i>Councillor K Bowers (Non-voting Member)</i>	
<b>HEALTH AND COMMUNITIES</b>		
		<b>Portfolio Areas:</b>
<b>Cabinet Member</b>	<b>Councillor P Tattersley</b>	Health Improvement and Well-being External Funding Equality and Diversity Neighbourhood Budgeting Older People Children and Young People Voluntary sector Heritage Rural communities Local community engagement Member support and development
<i>Deputy Cabinet Member</i>	<i>Councillor F Ricci</i>	

		Community transport Leisure and Sport Community facilities and support
<b>FINANCE AND PERFORMANCE</b>		
		<b>Portfolio Areas:</b>
<b>Cabinet Member</b>	<b>Councillor David Bebb</b>	Financial and Treasury Management Investment Strategy Revenue budget Capital programme Efficiency and Improvement Programme Income Generation Performance management
<b>CORPORATE SERVICES AND ASSET MANAGEMENT</b>		
		<b>Portfolio Areas:</b>
<b>Cabinet Member</b>	<b>Councillor John McKee</b>	Asset Management Information Technology Corporate Governance Communication Procurement Risk Management Health and Safety Customer Services HR and Organisational Development Commercialisation

The Leader stated that he had appointed Councillor K Bowers to act as a Non-Voting Deputy Cabinet Member to support the work of Councillor Tom Cunningham, Portfolio Holder for Economic Development. Councillor Bowers would be invited to attend meetings of Cabinet and to take part in debate, but he would not have the right to vote. Whilst Councillor Bowers would be engaged in the work of the Cabinet and the Economic Development Portfolio, he would not be able to make formal decisions, or exercise any delegated authority.

Councillor Butland announced that following Councillor Lady Newton's decision to stand down as Cabinet Member for Planning and Housing, this would be a significant loss to the authority. The Leader commended Councillor Lady Newton for her tremendous amount of knowledge, expertise and invaluable work she has contributed to the Council during her time as Cabinet Member over the years.

#### **Leader's Scheme of Delegation for 2017/18 and Appointments to Cabinet Sub-Committees**

**INFORMATION:** The Leader of the Council announced his Scheme of Delegation for 2017/18 and the appointment and Terms of Reference of Cabinet Sub-Committees / Groups, as set out in a report attached to the Agenda, which were noted. The

appointments to Sub-Committees / Groups and the appointment of the Chairman / Vice-Chairman of these is summarised below.

#### Local Plan Sub-Committee

Councillor D Bebb, Councillor Mrs L Bowers-Flint (Chairman), Councillor G Butland, Councillor T Cunningham, Councillor D Hume, Councillor Mrs J Money, Councillor Lady Newton, Councillor J O'Reilly-Cicconi, Councillor Mrs W Scattergood (Vice Chairman), Councillor Miss M Thorogood, Councillor Mrs G Spray

#### Developing Democracy Group

Councillor J Abbott, Councillor P Barlow, Councillor Mrs J Beavis, Councillor G Butland (Chairman), Councillor Mrs J Pell, Councillor C Siddall, Councillor Mrs G Spray

#### Member Development Group

Councillor P Barlow, Councillor Mrs J Beavis (Chairman), Councillor K Bowers, Councillor S Canning, Councillor D Hufton-Rees, Councillor Mrs J Pell, Councillor P Schwier, Councillor Mrs S Wilson

#### Grants Panel

Councillor Mrs J Allen (Chairman), Councillor P Barlow, Councillor Mrs A Kilmartin, Councillor S Kirby, Councillor F Ricci, Councillor Miss V Santomauro, Councillor Mrs L Walters

## 12 **APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES**

**INFORMATION:** Consideration was given to a report on the appointment of Committees and Sub-Committees, their size and political balance.

It was proposed to increase the size of the Governance Committee from 7 to 12 Members. This would enable more Members to participate in the Governance functions and would enable further posts to be made available to minority parties.

**DECISION:** That Council Agreed

1. Amends Article 10 section 2.1 to increase the size of the Governance Committee from 7 to 12 members.
2. That the Head of Governance be delegated authority to make any amendments to the Constitution to produce publication versions reflecting the decision above.
3. Notes the political balance requirements;
4. Agrees the size of the individual Committees and Sub-Committees to be subject to proportional balance and the allocation of seats to political groups in accordance with the report.

5. That the schedule set out in Appendices A be adopted regarding the appointments to Committees, as set out below;

Planning Committee:

Councillor K Bowers, Councillor Mrs L Bowers-Flint, Councillor T Cunningham, Councillor P Horner, Councillor H Johnson, Councillor D Mann, Councillor Lady Newton, Councillor Mrs I Parker, Councillor R Ramage, Councillor F Ricci, Councillor Mrs W Scattergood, Councillor P Schwier, Councillor Mrs G Spray

Licensing Committee

Councillor Mrs J Allen, Councillor M Banthorpe, Councillor P Barlow, Councillor J Baugh, Councillor J Elliott, Councillor J Goodman, Councillor A Hensman, Councillor H Johnson, Councillor Mrs J Pell, Councillor B Rose, Councillor R van Dulken, Councillor Mrs L Walters, Councillor Mrs S Wilson

Overview and Scrutiny Committee

Councillor P Barlow, Councillor Mrs M Cunningham, Councillor Mrs D Garrod, Councillor J Goodman, Councillor A Hensman, Councillor P Horner, Councillor G Maclure, Councillor Mrs I Parker, Councillor R Ramage, Councillor B Rose, Councillor P Schwier, Councillor C Siddall

Governance Committee

Councillor J Abbott, Councillor M Dunn, Councillor J Elliott, Councillor A Hensman, Councillor D Hufton-Rees, Councillor G Maclure, Councillor Mrs J Pell, Councillor R Ramage, Councillor Miss V Santomauro, Councillor Miss M Thorogood, Councillor R van Dulken, Councillor Mrs L Walters

Standards Sub Committee

Councillor J O'Reilly-Cicconi, Councillor Mrs J Pell, Councillor Mrs S Wilson, Substitutes: Councillor S Kirby, Councillor D Mann, Councillor J Cunningham

Appeals Committee

Councillor J Abbott, Councillor Mrs A Kilmartin, Councillor D Mann  
Substitutes: Councillor Mrs S Paul, Councillor B Rose, Councillor P Tattersley

6. That Council approves the allocation of the Chairmanship of the Overview and Scrutiny Committee as being from the majority group and suspends the convention that this appointment is an opposition Member stated in the Overview and Scrutiny Procedure Rules for the current municipal year.
7. That the appointment of Chairman and Vice-Chairman of the Committees be as set out in Appendix B of the report.

## 12 **COMMUNITY GOVERNANCE REVIEW – OVERSIGHT COMMITTEE**

**INFORMATION:** Members were advised that for this item, a unanimous vote would be required for the Committee not to be politically proportional.

During 2017 and 2018 the Council would be undertaking a Community Governance Review. This review would look at the arrangements for Parish and Town Councils across the District. The review would be formally commenced by a report to Full Council on the 24th July 2017. This review would require Member oversight and decision making.

The review would require consultation with the community, Parish and Town Councils and other relevant stakeholders. The report set out a governance structure to enable transparent consideration of issues, as well as clear reporting and Member engagement. It was noted that Councillor Mrs Schmitt would be appointed as Chairman.

Members were advised that Committees of Council were required to be politically balanced in line with the overall make up for the Council. Given the specific remit of this Committee, it was recommended that Members agree to waive the requirement for political proportionality to enable all political parties to be represented. In order for this to be achieved it will require a unanimous vote of Council.

**DECISION:** That Council Agreed unanimously:

1. To establish a dedicated Community Governance Review Committee, with Terms of Reference as set out in the report; such Committee to be established until the adoption by Council of the final recommendations of the Community Governance Review.
2. To establish the Committee with 9 Members.
3. To recommend to Council that the rules regarding the proportions of seats for political parties not be applied to the Committee (requiring unanimous agreement) and that the allocation be 6 Conservative, 1 Labour, 1 Halstead Residents Association, 1 Green.
4. To appoint the Members detailed in the report to the Committee.

**REASON FOR DECISION:** To support decision making in relation to the Community Governance Review and ensure appropriate and effective Member decision making.

## 15 **APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES FOR THE CIVIC YEAR 2017/18**

**INFORMATION:** Consideration was given to a report on the proposed appointment of Council representatives to outside bodies for the Civic Year 2017/18, as set out in Appendix A to the report and summarised below.

**DECISION:** That the following appointments of Council representatives to outside bodies be agreed:-

Braintree District Access Group  
Councillor Mrs L Bowers-Flint  
Councillor Mrs G Spray (as Deputy)

Braintree District and Greenfields Community Grant Panel  
Councillor J Goodman  
Councillor Mrs G Spray



Councillor Mrs W Schmitt

Braintree United Charities

Councillor J Baugh  
Councillor Mrs S Paul  
Councillor Miss V Santomauro  
Councillor Mrs L Walters  
Mr McNee as Community Representative

Campaign to Protect Rural Essex

Councillor Schwier

Dedham Vale and Stour Valley Advisory Committee

Councillor Mrs D Garrod  
Councillor Mrs W Scattergood

Earls Colne Airfield Liaison Committee

Councillor P Schwier

Earls Colne and Halstead Educational Charity

Councillor C Siddall

Friends of Bocking Windmill

Mr A Everard as Community Representative

Friends of Halstead Public Gardens

Councillor Mrs J Pell  
Mrs J Sutton as Community Representative

Maltings Lane Forum

Councillor Mrs J Money  
Councillor G Maclure

Notley Green Community Association

Councillor F Ricci

Rivenhall Playing Field Association

Councillor J Abbott  
Councillor K Bowers

Witham United Charities

Councillor J Goodman  
Councillor P Horner  
Councillor Mrs J Money  
Councillor Mrs S Wilson  
Mrs M Galione as Community Representative

16 **ANNUAL TIMETABLE OF MEETINGS 2017/18**

**DECISION:** That the following Council and Annual General Meeting dates, as set out in the Timetable of Meetings 2017/18, be confirmed:

Ordinary Meetings of the Council

24th July 2017

9th October 2017

11th December 2017

19th February 2018

26th March 2018

Special Meetings of the Council for the Local Plan

5th June 2017

Annual General Meeting

23rd April 2018

All meetings to start at 7.15pm.

The meeting commenced at 7.30pm and closed at 8.16pm.

Councillor S Kirby  
(Chairman)