

Minutes

Council Meeting



23rd July 2024

These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A recording of the meeting is available on the Council's YouTube Channel at <http://www.braintree.gov.uk/youtube>

Present:

Councillors	Present	Councillors	Present
Councillor J Abbott	Yes	Councillor L Jefferis	Apologies
Councillor D Abram	Yes	Councillor J Martin	Yes
Councillor M Ault	Yes	Councillor S Mason	Apologies
Councillor J Ayten	Yes	Councillor A Munday	Yes
Councillor J Baugh	Yes	Councillor I Parker	Yes
Councillor J Beavis	Yes	Councillor J Pell	Yes
Councillor J Bond	Yes	Councillor G Prime	Apologies
Councillor K Bowers	Yes	Councillor S Rajeev	Yes
Councillor L Bowers-Flint	Yes	Councillor R Ramage	Yes
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor J Coleridge	Yes	Councillor P Schwier	Yes
Councillor G Courtauld	Yes	Councillor G Spray	Yes
Councillor M Cunningham	Yes	Councillor M Staines	Apologies
Councillor T Cunningham	Yes	Councillor B Taylor	Yes
Councillor C Dervish	Yes	Councillor W Taylor	Yes
Councillor T Diamond	Yes	Councillor M Thorogood	Apologies
Councillor J Edwards	Yes	Councillor P Thorogood	Yes
Councillor C Finch	Apologies	Councillor R van Dulken	Yes
Councillor M Fincken	Apologies	Councillor T Walsh	Yes
Councillor D Garrod	Yes	Councillor L Walters	Yes
Councillor M Green	Yes	Councillor E Williams	Yes
Councillor J Hayes	Yes	Councillor T Williams	Yes
Councillor P Heath	Yes	Councillor J Wrench	Yes
Councillor D Holland	Yes	Councillor B Wright	Yes
Councillor A Hooks	Yes		

14 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared.

Councillor Coleridge declared a non-pecuniary interest in Agenda Item 6 – ‘Motion by Councillor Charley Dervish – Congratulations and Support for Grassroot Football within the District’ as a youth coach for Hatfield Peverel Football Club and as both his sons play for Hatfield Peverel Football Club, which may be mentioned in the debate.

Councillor Dervish declared a non-pecuniary interest in Agenda Item 6 – ‘Motion by Councillor Charley Dervish – Congratulations and Support for Grassroot Football within the District’ as she runs Terling Football Club, and her husband coaches several local Football Teams throughout the District, her son also plays for Hatfield Peverel Football club which may be mentioned in the debate.

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

15 **MINUTES**

DECISION: That the Minutes of the meeting of Full Council held on 22nd April 2024 be approved as a correct record and signed by the Chairman, subject to the amendments identified.

16 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

17 **ANNOUNCEMENTS/STATEMENTS FROM THE CHAIRMAN AND LEADER OF THE COUNCIL**

INFORMATION: The following announcements/statements were made: -

Chairman of the Council - Announcements

Since her election at the AGM in May the Chairman was pleased to announce that she had attended a total of 7 engagements and hosted her first civic event to celebrate the UK Armed Forces in June. In addition to local veterans attending the event, they were also joined by some pupils from Great Bradford’s Junior School to learn about the importance of recognising the Armed Forces, with talks provided by the RBL and Braintree Museum. The children were also able to try on some army uniforms and make Armed Forces themed flags and badges.

Some other highlights included a ribbon cutting in Braintree for TE Connectivity, Halstead Town Council’s Civic Service and a school production at Rickstones Academy.

A full list of the engagements the Chairman had attended since the last meeting of Full Council would be published on the Council’s website.

Leader of the Council – Announcements

Wethersfield update

The Leader reported that it had now been more than a year since the first arrivals at the former Wethersfield airfield. As of last week, 536 service users were onsite. People were now reaching six months or more at the site and some were now moving onto dispersal accommodation across the country. The service user cap of 580, which had been in place since April, remained as the Home Office was yet to fulfil all conditions of the Special Development Order (SDO).

The Council's planning officers were continuing to engage with the Home Office to ensure that they were abiding by the conditions stipulated in the SDO, and documentary evidence supporting the Home Office view that they were meeting those conditions was starting to be received. This was supported by a joint planning and environmental services officer site visit which was conducted in late June. The Council would continue to press for information and fully review this before being satisfied that the pre and post cap conditions had been met.

Whilst no date had yet been confirmed for when the cap release conditions would be met, after which capacity could rise to 800, it was anticipated that it was likely to be at least late summer.

Once at 800, there was an option for additional temporary 'surge' capacity of 445. The Council still lacked details on how the surge would work in practice.

Despite the site now being in operation for more than a year, the Council continued to urge the Home Office and partners to do more for the service users at the asylum centre and residents in the surrounding areas.

The Leader had written to the new Home Secretary highlighting several issues that needed addressing urgently and reminded her of the Council's opposition to the site in terms of location and infrastructure, as well as the Prime Minister's Early Day Motion asking for the SDO to be revoked. The Leader added that, it was announced today that the contract for the Bibby Stockholm barge in Dorset would not be renewed past January 2025.

The Leader had also raised concerns over the lack of clarity on enrichment activity funding. He reminded Members that this Council funded urgently needed discretionary activities at the cost of £50,000, a responsibility that should have been borne by the Home Office.

The Home Secretary had also been updated on minimal engagement levels with residents living nearby, along with the lack of willingness to hold inaccurate media reporting to account. Inevitably, these failings contributed to increased local anxiety and fear of crime. A reminder of the obstacles with the Home Office faced by this authority and Essex County Council to uphold their statutory responsibilities was also highlighted. The lack of urgency when there was a clear operational reason to do so was perplexing and worrying; officers were facing continuous hurdles in trying to

uphold planning and environmental enforcement duties as well as remaining concerned about safeguarding processes, albeit Essex County Council was the lead safeguarding authority. Despite these hurdles, our officers continued to uphold the statutory responsibilities, increased levels of engagement with local residents and identify concerns with the site management.

The Leader added that as Members would be aware, the Council had set aside £200,000 of funding which was intended to be spent on mitigations to impacts on the community, subject to Home Office agreement. Officers had spoken to key stakeholders including parish councils adjacent to the site and are working with partners to identify mitigations. Any money that was provisionally allocated to mitigate these issues, would be required to be agreed by the Home Office as it did not form part of the Council's statutory responsibilities. The Council were currently working through this and hoped to be in a position to finalise these as soon as possible.

Local Plan update

The Leader then invited Councillor Spray, Cabinet Member for Planning, to provide Members with an update on the Local Plan.

As Members would be aware, the current Local Plan was adopted in 2021 and was valid up to 2033. However, there was a requirement to update Local Plans after a period of five years and there was, understandably some uncertainty at the start of this year around when a General Election might take place and what changes to the Planning process might follow from whichever party was elected.

At the meeting of the Local Plan Sub-Committee on 7th March, Members discussed a report on the status of our Local Plan, the then Government's proposals for changes to the Planning system and any potential transition arrangements from the current system to a new system and the impact of those changes on the Local Plan. The Committee decided to undertake a Refresh of the Local Plan whilst acknowledging that the timescale would be tight with a lot of work involved for both Officers and Members to meet the deadline of submitting a refreshed Local Plan to the Planning Inspectorate (PINS) by 30th June 2025.

Councillor Spray added that as the Chairman of that Committee, she felt the uncertainty around the political landscape and possible changes to the Planning system later in the year was all the more reason for this authority to have an adopted and sound Local Plan in place. Given the snap Election that followed in June and the 'fast and furious' announcements on Planning and Growth coming from the newly-named Department for Housing, Communities and Local Government, she was especially pleased that the Sub-Committee had made the decision that it did, as there was already a hint from the new Government that they expected all Local Authorities to have adopted Plans in place, so we The Council were in a good position and needed to keep it that way.

Members were reminded that this review was a 'Refresh' of the Council's Local Plan and not a new Plan from the ground up. The Council had put out the Call for Sites and just over 300 sites had been submitted. They ranged from just one house in a field to

some significantly larger sites and every variation in between Planning Policy Officers, with support from the Development Management team were working their way through these and site visits were taking place.

Members would have seen the messages from the Council's Comms team that a 'Community Engagement' exercise was underway. This would run until the 16th of August 2024 and was an informal way for anyone to feedback to the Planning Policy team what they would like to see in a refreshed Local Plan. Councillor Spray added that she hoped Members would take the opportunity to alert their Town and Parish Councils and local communities to this opportunity to engage in the discussions about the Plan document.

Members were advised that there was a meeting of the Local Plan Sub-Committee on 15th August where officers would update the Committee on progress, however this would not be a discussion on sites, that work would start in early September and continue through October with a number of extra Committee meetings to discuss the sites put forward, the updated Evidence Base documents and updated Policies.

This would be followed by the Regulation 18 six-week public consultation starting in November and finishing end of December. The feedback from this consultation would be collated by Officers in January/February with further meetings of the Sub-Committee taking place between February and April before the final Regulation 19 Consultation, another six-week period in April - May, to allow for comment on the draft Plan, the Plan would then be submitted to PINS by 30th June.

Councillor Spray added that they did not yet know what the results of the consultant's deliberations on the Strategic Housing Market Assessment (SHMA) would be, and that this report would advise on what our Housing Delivery should be over the Plan period up to 2041. There were suggestions from the new Government that they may look into re-introducing mandatory housing targets. The Council did not have any details on this yet and there was nothing specific in the Kings Speech last week but if targets, and other significant changes to the NPPF, were announced that could have an affect the content and timing of the refreshed Local Plan.

It was noted that the "Planning and Infrastructure Bill" was one of the Bills referenced by the King in his speech last week and regardless of whatever housing target may be set, this administration was determined to continue to enable the provision of high-quality homes, leisure and business opportunities where we want to see them and with the infrastructure that is so important. It was added that where the District Council was not directly responsible for providing some of that Infrastructure, it would do its utmost, to ensure that message gets through to those who were responsible.

18 **MOTION BY COUNCILLOR CHARLEY DERVISH – CONGRATULATIONS AND SUPPORT FOR GRASSROOT FOOTBALL WITHIN THE DISTRICT**

INFORMATION: Consideration was given to a Motion submitted by Councillor Dervish. Appropriate Notice of the Motion had been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Council's Constitution.

The Motion:

‘Following the recent success of Braintree Town Football Club and their promotion back into the National League, this Council congratulates the success of local football teams within our District. In addition to acknowledging their success on the field the Council believes this promotes and leads the way for all grassroots football clubs and inspires our players to take up the sport.

We congratulate clubs across the District and a true well done to them and all the volunteers it takes to make this happen.

To further support that success this Council agrees to promote and encourage participation in all sporting activity across the District.’

Members of the Council were advised, that in accordance with Council Procedural Rule 12.20 of Chapter 2 of the Council’s Constitution, Councillor Beavis had proposed an amendment to the Motion. This proposal had been seconded by Councillor Abbott.

Councillor Dervish and Councillor Wrench, as the Proposer and Secunder of the original Motion, had consented the amendment in advance of the meeting. The amended Motion had therefore become the Substantive Motion as follows (changes from the original are shown in italics and underlined):-

The Substantive Motion (following amendment of the original Motion)

‘Following the recent success of Braintree Town Football Club and their promotion back into the National League, this Council congratulates the success of local football teams within our District. In addition to acknowledging their success on the field the Council believes this promotes and leads the way for all grassroots football clubs and inspires our players to take up the sport.

We congratulate clubs across the District and a true well done to them and all volunteers it takes to make this happen.

To further support that success this Council agrees to promote and encourage *participation in sport*, across the District.’

There followed a discussion on the Substantive Motion.

On being put to vote the Motion, as amended, was declared **CARRIED.**

A webcast of the full debate can be viewed here

<https://www.youtube.com/watch?v=YstueWPLoSQ>

19 **MOTION BY COUNCILLOR IONA PARKER – SUPPORT FOR THE AGRICULTURAL SECTOR**

INFORMATION: Consideration was given to a Motion submitted by Councillor Parker. Appropriate Notice of the Motion had been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Council's Constitution.

The Motion:

'This Council recognises that this District is one of the most productive cereal growing regions in the country and that the agricultural sector contributes substantially to our economy.

Furthermore, in an increasing geopolitically uncertain world, this Council recognises the importance of maintaining our nation's food security and the role that farmers in our District play in feeding the nation and protecting and enhancing the countryside.

This Council will ensure that its policies are conscious of the need to maintain food security.

This Council will also seek to promote the opportunities that may arise from the Biodiversity Net Gain requirements on new developments to provide an alternative income stream for farmers on land of lower agricultural quality'

Members of the Council were advised, that in accordance with Council Procedural Rule 12.20 of Chapter 2 of the Council's Constitution, Councillor Abbott had proposed an amendment to the Motion. This proposal had been seconded by Councillor Walsh.

Councillor Parker and Councillor Holland, as the Proposer and Seconder of the original Motion, had declined to accept the amendment in advance of the meeting.

In the circumstances, the Motion, as submitted, was moved by Councillor Parker and seconded by Councillor Holland. However, before discussion could take place on the Motion, Councillor Abbott proposed the following amendment to the Motion which was seconded by Councillor Walsh. (Changes from the original are shown in italics and underlined and by strike through for deletions):

The Amended Motion

'This Council recognises that the District is one of the most productive cereal growing regions in the country and that the agricultural sector contributes substantially to our local economy.

Furthermore, in an increasing geopolitically uncertain world, this Council recognises the importance of maintaining our nation's food security and the role that farmers in our district pay in feeding the national and protecting and enhancing the countryside.

This Council will ensure that its policies are conscious of the need to maintain food security.

The Council will also seek to promote the opportunities that may arise from the Biodiversity Net Gain requirements on new developments, with the preference that Biodiversity Net Gain should be protected as much as possible on the development sites, then re-provided on sites as the next option and that offsite is the third option, to provide an alternative income stream for farmers on land of lower agricultural quality.'

There followed a discussion on the Amended Motion.

On being put to vote the Amended Motion was declared **LOST**.

As the original Motion had already been moved and seconded, Members then proceeded to discuss the Motion as submitted.

On being put to vote the Motion was declared **CARRIED**.

A webcast of the full debate can be viewed here

<https://www.youtube.com/watch?v=YstueWPLoSQ>

20 **QUESTIONS TO THE LEADER AND CABINET**

INFORMATION: The Chairman reminded Members that they may only ask one question of the Leader and the Cabinet on matters which relate to the functions of the Leader, the Cabinet, the powers and duties of the Council or matters pertaining to the District which have taken place since the last meeting of Full Council held on 22nd April 2024.

Questions must be succinct and could not be asked in parts and supplementary questions were not permitted. It was added that Members may not make statements before asking their questions.

Members were then given the opportunity to put their questions to the Cabinet. A webcast of the questions and the responses from the Leader of the Council and Cabinet Members is available on the Council's website and its YouTube channel at https://www.youtube.com/watch?v=D_2AoTwDhFc

The main topics were as follows:-

Councillor Beavis asked the Leader for his insight on what the future might look like for Braintree District Council following the General Election and appointment of the new Labour Government.

Councillor Hayes asked a question in relation to the sub-standard provision of ground maintenance by Eastlight Community Homes.

Councillor Hooks asked the Leader what action had been taken following the 'Debate not Hate' Motion that was passed by Full Council.

Councillor Parker requested an update on the Sible Hedingham medical centre.

Councillor Abram requested an update on the A120 development proposals.

Councillor Baugh asked the Cabinet Member if he was in agreement in welcoming the introduction of 4 new electric vehicles to the hackney carriage fleet in Braintree Town Centre and sought details on any further developments planned for the Town Centres.

Councillor Abbott referred to a recent interview by Essex Live with the Leader of the Council, and asked if his comments quoted in the article in respect of New Towns were accurate.

Councillor T Williams asked for the Leaders opinion on some derogatory remarks that were made by a Member of the Council against the Planning Committee and Planning officers.

Councillor Martin requested an update as to when Members would receive a report on the performance of Braintree District Council at the general election.

Councillor E Williams requested an update on the number of affordable housing provided by Braintree District Council in comparison to its neighbouring authorities.

21 **MEMBERS ALLOWANCE SCHEME 2024/25**

INFORMATION: Members were asked to consider the report of the Independent Remuneration Panel (IRP), and approve the Members Allowance Scheme 2023/24 and 2024/25 as set out in Appendix B of the report.

The Leader drew Members attention to 2 amendments in the report, the first on page 33 in respect of the Special Responsibility Allowance (SRA) of the Chairman and Vice Chairman of the Governance and Audit Committee which should read £5,500.00 and £2,750.00 respectively, and on page 34 in respect of the Chairman and Vice Chairman of the Governance and Audit Committee which should read £5,980.00 and £2,990.00 respectively.

Members were advised that the Members Allowance Scheme enabled Braintree District Council to have in place a set of allowances that could be paid to District Councillors. The Scheme provided for a Basic Members Allowance (BMA) and other allowances designed to assist Members with the performance of their roles as a District Councillor and SRAs in recognition of extra duties a Member was expected to perform when holding certain positions.

It was added that in setting its scheme of Allowances, the Council had a duty to have regard to the views and recommendations of the IRP and must comply with the requirements the Regulations.

It was reported that The IRP were satisfied with the format of the current Scheme, and therefore did not propose to make changes to the overall structure of the Scheme. Rather they focused on the values of each of the allowances paid, and the roles held

by Members. The IRP considered the work programmes of each of the Committees and the number of meetings Members were required to attend. They gave additional weight to those committees that meet frequently or held a quasi-judiciary role.

Members were advised that as part of their considerations, the IRP reflected on the continuing burden on local government finances and the continuing cost of living pressures. The IRP were mindful of the public perception of Member expenses and allowances and the cost of these on residents of the District. However, they recognised that the cost-of-living crisis had impacted on all sections of society, including Members and therefore recognise that Members should receive a BMA which supported them in carrying out their duties as District Councillors.

Full details of the findings and recommendations of the IRP, along with the proposals from the Developing Democracy Group can be found in the report.

DECISION: That the Council agreed:

1. To note the Independent Remuneration Panels Report, as set out in Appendix A.
2. To approve the Member Allowance Scheme 2023/24 and 2024/25 as set out in Appendix B.

22 **SPORT ENGLAND GRANT – SWIMMING POOL SUPPORT FUND - URGENT KEY DECISION**

INFORMATION: Consideration was given to a report regarding a key decision made by the Leader of the Council in accordance with the special urgency provisions of the Council's Constitution. The decision related to the Sport England Grant Swimming Pool Support Fund.

Members were advised that the Government's Swimming Pool Support Fund provided a total of £60 million to local authorities in England as a support package for public leisure facilities with swimming pools and was split into two phases. The bidding window for this Sport England grant was incredibly short, effectively a 3 week turnaround to identify, prepare and submit bids based on proposals for the Council's leisure centres. The Council had engaged with a range of partners in the preparation of a bid that aligned to the Sports England Grant criteria.

It was reported that Sports England had confirmed in a grant offer to the Council in the sum of £375,350, for the installation of LED lighting, solar carpark canopy, and roof top solar panels at the Witham Leisure Centre, however the timing of the outcome of the bid did not allow for inclusion within the MTFS bidding process for capital funds. The solar carpark canopy element of the grant offer was dependent on a capital contribution from the Council.

In accordance with paragraph 13.11 of the Council's Constitution, the Monitoring Officer, in consultation with the Chief Executive was satisfied that a matter of urgency had arisen in connection with the work of the Cabinet and required a decision before

the next regular meeting of Cabinet. In such circumstances the Leader of the Council was authorised to take the Key Decision.

DECISION: That Council noted the decision taken by the Leader of the Council on 19th April 2024, relating to the Sport England Grant Swimming Pool Support Fund.

The meeting commenced at 7.15pm and closed at 9.42pm.

Councillor L Walters
(Chairman)