

Minutes

Council Meeting

14th December 2009



Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	E R Lynch	Yes
M J Banthorpe	Yes	M Lynch	Yes
Miss L Barlow	Apologies	D Mann	Yes
J Baugh	Yes	T McArdle	Yes
Mrs J C Beavis	Yes	N G McCrea	Apologies
D L Bebb	Yes	J McKee	Yes
E Bishop	Yes	H J Messenger	Apologies
R J Bolton	Apologies	A M Meyer	Apologies
G Butland	Yes	R G S Mitchell	Yes
G Cohen	Yes	Mrs J M Money	Yes
J C Collar	Yes	Lady Newton	Yes
M Dunn	Yes	J P O'Reilly-Cicconi	Yes (from 7.45pm)
Mrs E Edey	Apologies	Mrs J A Pell	Yes
J G J Elliott	Yes	R Ramage	Yes
R Elliston	Yes	D M Reid	Yes
Dr R L Evans	Yes	D E A Rice	Yes
A V E Everard	Yes	Mrs C Sandbrook	Yes
J H G Finbow	Yes	Mrs W D Scattergood	Yes
Ms L B Flint	Yes (from 7.45pm)	Mrs J W Schmitt	Yes
T J W Foster	Yes	A F Shelton (Vice Chairman)	Yes
Mrs B A Gage	Apologies	Mrs L Shepherd	Yes
M G Gage	Yes	C Siddall	Yes
Mrs M E Galione (Chairman)	Yes	Mrs J A Smith	Yes
J E B Gyford	Yes	Mrs G A Spray	Yes
N R H O Harley	Yes	F Swallow	Yes
Mrs S A Howell	Yes	Miss M Thorogood	Yes
P J Hughes	Yes	S M Walsh	Apologies
D L Hume	Apologies	R G Walters	Yes
M C M Lager	Yes	R N Wilkins	Apologies
S J Lambourne	No	T S Wilkinson	Yes

The Chairman welcomed all Councillors to the meeting and extended a warm welcome to any public and press present at the meeting, and those viewing the meeting on the webcast.

At the commencement of the meeting the Chairman was pleased to present awards to the four winning entries of the Birthday Card Competition – Megan Day, Emily Rose, Eric Brain and Zeb Goodes of Alec Hunter Humanities College. As part of Local Democracy week the Council had sponsored a 'design an 18th birthday card' competition with local schools, and the four designs will be sent to all residents of the District on their 18th birthday and will contain messages regarding the importance of electoral registration and voting at future elections.

Councillor Shelton, the Vice Chairman, was pleased to present Councillor Mrs Galione with a card, signed by Councillors, to celebrate her Golden Wedding anniversary.

53 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman presented the announcements, regarding the Staff Awards Evening in November, Staff Visits by herself and the Vice Chairman prior to Christmas, and stated a card had been sent to the 'X Factor' contestant, Olly Murs, who comes from Witham. The engagements attended by herself and the Vice Chairman were also circulated.

54 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

- Councillors J E Abbott, Mrs J C Beavis, G Butland, J C Collar, M G Gage, Mrs M E Galione, P J Hughes, M C M Lager, R G S Mitchell, Mrs J M Money, Mrs J A Pell, Mrs C Sandbrook, F Swallow, and R G Walters all declared a personal interest as Parish or Town Councillors of their respective Parish/Town Council, in Agenda Item 8(ii) Delivering the Medium Term Financial Strategy that has reference to Parish Support Grants.
- Councillor E Bishop declared a personal interest in Agenda Item 8(ii) Delivering the Medium Term Financial Strategy as his wife is a member of the Local Strategic Partnership (LSP).
- Councillor R G Walters declared a personal interest as a Museum Trustee in Agenda Item 8 and the reference to the Museum Trust. Councillor Walters advised he would remain in the meeting and not be involved in any action on this issue.
- Councillor Mrs J A Pell declared a personal and prejudicial interest, as a Director of the Museum, in Agenda Item 13(iv) – Minutes of meetings in Private Session. In accordance with the Constitution, Councillor Mrs Pell would have left the meeting if the item had been discussed by Council.
- Councillor J Baugh declared a personal and prejudicial interest in Agenda Item 8(ii) Budget papers as
 - (i) he is Chairman of the Bradford Meadows Group who use the service provided by the Council's Landscape Services section, who are under review, and
 - (ii) he is Treasurer of the Braintree Youth Project that currently meets at the Braintree Community Association location, that is within the community halls review.Councillor Baugh did not take part in the meeting on these aspects of the Budget papers.
- Councillor T McArdle declared a personal interest as Chairman of the Braintree Youth Group in Agenda Item 10(i).

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

55 **MINUTES**

DECISION: That the minutes of the meeting of Council held on 26th October 2009 be approved as a correct record and signed by the Chairman.

56 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

57 REVIEW OF THE EAST OF ENGLAND PLAN TO 2031

Councillor Harley, Cabinet Member for Enterprise and Culture, presented the report and referred to the conclusion (Paragraphs 15 to 17) of the consultation process. Although the consultation period had come to a close on 24th November 2009, the East of England Regional Assembly (EERA) will accept any further comments from the Council meeting. Reference was made to the four scenarios for growth of the region, and that the Council's proposed response is to support Scenario 1.

Councillor M G Gage supported the proposal, and referred to the limited capacity of the A12 and A120 trunk roads, and the constraints in the north of the Braintree District and the major transport route through Halstead and nearby villages of the Heddinghams and Earls Colne. Therefore, Councillor Gage proposed that 'other areas in the District suffer from infrastructure problems' should be included in the Council's response. Other Members supported Scenario 1, and for improvements to the A120 to be prioritised before any development. Reference was also made to the Tey consortium and Bradwell and Coggeshall, and that the growth of linear development of 10,000 homes will impact on local traffic.

DECISION:

- (1) That the comments set out in paragraphs 15 to 17 of the report be endorsed as the basis of the Council's response to the consultation.
- (2) That the Council's response refers to the infrastructure deficiencies in the north of the District and the impact that any development will bring to the area.

58 NOTICE OF MOTION

Councillor Abbott moved the motion as stated in the Agenda for the Council to support the 10:10 project, and this was seconded by Councillor Dr Evans.

Councillor Abbott presented further details of the 10:10 initiative, including climate levels heating up, and carbon dioxide in the atmosphere rising. Reference was made to the Council's Climate Change Strategy and the 25% proposed reduction in the carbon footprint by the end of 2012/13, as quoted in the Action Plan.

In response, Councillor Mitchell, Deputy Cabinet Member for Environment & Sustainability, stated that this Council is ahead of many authorities and advised that since 2007 it had been committed to the Local Authorities Carbon Management Scheme, and had already made a reduction of 12% in emissions. Councillor Mitchell proposed an amendment to the motion, and this was moved and seconded.

Councillor Abbott considered that the amendment changed the original motion to such a degree that it was not in line with the Council's Constitution. The Chief Executive stated that it did not negate the original motion.

Other Councillors spoke on the change of the motion and considered that as the first five paragraphs had been removed, this had created a new motion. The Leader of the Council stated that the key points to the original motion to support the aims and ambitions of the 10:10 Campaign, and to write to that effect, remained the same.

A vote on the amended motion was taken and it was CARRIED; and on putting the substantive motion to the vote this was also CARRIED.

DECISION: That the following Motion be approved –

‘This Council supports the aims and ambitions of the 10:10 Campaign.

It congratulates the present administration on joining the Local Authority Carbon Management scheme in 2007, and for showing a strong commitment to reducing Carbon emissions.

It notes that between 2008 and the end of 2010, Braintree District Council aims to have reduced emissions by some 12%, with a continuing programme of reductions in subsequent years, towards a 25% reduction by the end of 2013.

The Council reaffirms its commitment to reducing carbon emissions and resolves to write to the 10:10 Campaign to confirm its support.’

59 **POLICY RECOMMENDATIONS AND REFERENCES (PUBLIC SESSION)**

Cabinet – 7th December 2009

(i) Mayland House, Witham

Councillor Lager, Cabinet Member for Efficiency and Resources, moved the recommendation of Cabinet to accept the surrender of the lease for Mayland House, Witham. It was clarified that all options will be looked at, and a comprehensive report made to Cabinet early in 2010 on the future use of the building.

Councillor Abbott supported the acceptance of the lease, stated that any move by the Council to Witham had to be justified, and reiterated his four questions from the Cabinet meeting regarding consultation with staff, additional travel to Witham, accessibility for the public and Members, and of no convincing evidence that Causeway House was not ‘fit for purpose’.

Other Councillors supported this stance and discussion ensued on the options within the report. The Leader made reference to his statement at Cabinet on the full consultation process, and the key issue to find suitable partners to share Mayland House with, and the emphasis that no decisions had been taken.

DECISION: That the Council accepts the surrender of the lease for Mayland House, Witham with Marsh McLennan, subject to Heads of Terms being agreed as detailed at Appendix B of the report, with the final terms to be agreed by the Cabinet Member for Efficiency and Resources.

(ii) Delivering the Medium Term Financial Strategy

The Leader of the Council introduced the reference to setting the Budget for 2010/11 and the Medium Term Financial Strategy for the next three years. The response from the public consultation had indicated that initial proposals for Community Wardens, the Parish Support Grant, Welfare Rights and the Landscape Services section had to be reviewed, and a report will be made to Cabinet on 1st February 2010 regarding the role of Community Wardens.

Councillor Gyford expressed concern about the way the budget process had been handled this year. Previously, the budget item had been taken as a total entity at Council in February, whereas this year some decisions had already been made. It was also considered that the consultation process had been more ambitious than

other years – and this was welcomed. However, there seemed to be a danger of subverting some of the consultation process, i.e. Business Council, the Local Committees, as some of the decisions had already been made. Councillor M G Gage disagreed with this opinion, and endorsed the consultation process undertaken this year. Councillor Mrs Sandbrook agreed with this, and stated it was vital to make necessary savings in the current economic climate and show good financial prudence.

Further discussion included the possible closure of some community halls, i.e. the Glebe Hall in Braintree and the need to safeguard the interests of community users. Councillor Dr Evans referred to the Forest Road hall in Witham (included in the current list) that had been proposed for closure in 2004; and that the same provision could be applied at the Rickstones Pavilion, Witham – not included in the current list of halls. Councillor Dr Evans expressed concern to the future of these two halls as both are used by local young people and an opportunity has to be provided to transfer the provision of services if one hall was to close.

A further concern was the future of the tourism service and the impact to the local economy. Many visitors - whether local or from outside the area – visit the tourist information office to collect brochures, and other authorities hold information relating to the Braintree area.

Councillor Harley, Cabinet Member for Enterprise and Culture, stated that the tourist office service is not being totally withdrawn. There will be provision to collect leaflets from within the Council, and the use of websites will be promoted.

With regard to a query from Councillor Bishop regarding the views of the LSP (initially raised at Cabinet), the Leader of the Council advised that the LSP had not considered this topic at the present time.

DECISION: That the following Items of Appendix B of the report be approved:-

- (i) Review of management structure
 - (iii) Restructuring the Economic Development function
 - (viii) Welfare Rights Service to cease on 31st March 2011
 - (ix) Parish Support Grant to be frozen at its current level
 - (x) Community Halls – to transfer to other organisations
 - (xii) To cease the Environmental Health 'out of hours service' during the week and only provide at weekends.
-

- (ii) Reference from the Licensing Committee 7th October 2009 – Gambling Act 2005 Revised Statement of Licensing Policy

Councillor Banthorpe, Chairman of the Licensing Committee, presented the recommendation that had been deferred at the previous Council meeting to allow all Councillors to read the report on the re-publication of the revised Statement of Licensing Policy. It was noted that the Policy had to be reviewed every three years, and a small amendment had been made to the Policy on this occasion.

DECISION: That the Gambling Act 2005 – Revised Statement of Licensing Policy be published.

- (iii) Reference from the Overview and Scrutiny Committee 28th October 2009 – Scrutinising LAA Improvement Targets – Local Authorities (Overview and Scrutiny Committees)

The Leader of the Council presented the recommendation.

DECISION: That the functions and terms of reference of the Overview and Scrutiny Committee in relation to the scrutiny of LAA improvement targets be incorporated in the Council's constitution.

60 **STATEMENTS BY MEMBERS (PUBLIC SESSION)**

INFORMATION: No statements were made.

61 **QUESTION TIME (PUBLIC SESSION)**

- (i) **Statements from the Leader and Cabinet Members**

INFORMATION: Further updates were received from Cabinet Members.

The Leader of the Council advised that his Deputy Portfolio Holder, Councillor Siddall, would provide a report on the District Council's Leaders Board.

Braintree District Organisational Assessment

Councillor Butland advised that following the Organisational Assessment carried out by the Audit Commission, Braintree District Council had a score of 3 – that the Council provides good service. The full report on this issue will be circulated to all Members by 31st December 2009.

Members Briefing Evening – 18th January 2010

The Leader stated that this event will update Members on key issues and challenges; and include a presentation from the CAA; focus on key targets, efficiencies, key actions, the town centres projects and office accommodation.

Board of District Council Leaders

Councillor Siddall had attended the meeting on 19th November 2009, where the draft constitution for the new Leaders' Board had been agreed. The Shadow Board and financial structure had also been agreed, and a presentation received from the LGA.

New Sports Facility for Great Notley

Councillor Walters, Cabinet Member for the Environment and Sustainability, urged Members to visit the new sports facility and to advise youth groups/all groups to use the facility.

Skyline 120

Councillor Harley, Cabinet Member for Enterprise and Culture, stated that Coopers of Stortford are to occupy 3.94 acres at the Skyline complex at Great Notley. This had also attracted business start-ups to the area and the use of the BEAU facility.

People's Panel/ latest version of Contact magazine

Councillor Mrs Beavis, Cabinet Member for Customers and Communication, advised that the latest edition of Contact magazine focuses on 'Our People – Our Community'. In a response to a query on the composition of the People's Panel, Councillor Bebb

explained that they are representative of all Wards. The total has been dissected into age-groups and schools had been visited to address the shortfall of that particular age group on the Panel. Further work will be undertaken to analyse the results and a short report will be made.

In response to a further query, Councillor Mrs Beavis advised that she will email officers regarding the infills to the folders distributed to Councillors.

(ii) **Chairmen's Reports**

INFORMATION: No reports were made.

(iii) **Meetings in Public Session**

INFORMATION: Members were invited to raise any matters arising from meetings that had been held in public session since the last Council meeting on 26th October 2009.

Councillor E R Lynch referred to the minutes of Cabinet for 7th December 2009, and the statement made by Vernon Rolls in Question Time regarding the Braintree Community Association and the former ECC building at 19-21 Bocking End. It was requested, if a response had been made to Mr Rolls, that a copy to Councillors be provided. The reason for the acquisition of 19-21 Bocking End falling through and an update to current progress on the whole situation referred to in Mr Rolls' statement was requested.

In response, the Leader of the Council considered this an operational matter, and stated a response will be sent to all Councillors.

62 **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: There were no reports received from Council representatives on external organisations.

As there were no items in private session, the Chairman closed the meeting and wished everyone a Happy Christmas and a Happy New Year.

The meeting commenced at 7.15pm and closed at 9.25pm.

Mrs M E Galione
(Chairman)

(i)

For further information regarding these minutes, please contact Eileen Self, Member Services, on 01376 551414 or e-mail eileen.self@braintree.gov.uk