

Minutes

Council Meeting



14th April 2008

Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
M J Banthorpe	Yes	T McArdle	Yes
Miss L Barlow	Yes	N G McCrea	Yes
J Baugh	Yes	J McKee	Yes
Mrs J C Beavis	Yes	H J Messenger	Yes
D L Bebb	Yes	A M Meyer	Apologies
E Bishop	Yes	R G S Mitchell	Yes
R J Bolton	Apologies	Mrs J M Money	Yes
G Butland	Yes	Lady Newton (Chairman)	Yes
J C Collar	Yes	J P O'Reilly-Cicconi	Yes
M Dunn	No	Mrs R O'Shea	Yes
Mrs E Edey	Apologies	Mrs J A Pell	Yes
J G J Elliott	Yes	R Ramage	Apologies
Dr R L Evans	Yes	D M Reid	Yes
A V E Everard	Yes	D E A Rice	Yes
J H G Finbow	Yes	W Rose	Yes
Ms L B Flint	Yes	Mrs C Sandbrook	Yes
T J W Foster	Yes	Mrs W D Scattergood	Yes
Mrs B A Gage	Yes	Mrs J W Schmitt	Yes
M G Gage	Yes	A F Shelton	Yes
Mrs M E Galione (Vice-Chairman)	Yes	Mrs L Shepherd	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	Yes	R G Walters	Yes
M C M Lager	Yes	R N Wilkins	Yes
S J Lambourne	No	T S Wilkinson	Yes
E R Lynch	Yes	<i>Vacancy</i>	
M Lynch	Yes	<i>Vacancy</i>	

The Chairman welcomed all Councillors and members of the public and press to the meeting, and drew attention to the evacuation procedure in case of an emergency, and the need for Members to use the microphones as the meeting was being webcast.

Councillor Keith Bigden and Councillor Caroline Denise

At the commencement of the meeting the Chairman advised of the unfortunate occurrence of the death of two serving Councillors – Councillor Keith Bigden, Member for Hatfield Peverel Ward and Councillor Caroline Denise, Member for Braintree East Ward.

Councillor Bigden had passed away on 2nd April 2008, was a well known figure of Braintree District Council and had served the people of Hatfield Peverel for 24½ years, and had also been an Essex County Councillor and Parish Councillor. He was described as a character who had a passionate advocacy for the people he represented.

Councillor Denise had passed away on 12th April 2008 and many colleagues were still getting to know Caroline as she had only been elected in May 2007. She had a forthright, personable and bubbly character and would, in time, have left her mark as a Councillor.

Each Group Leader expressed their thoughts on the loss of two Members:-

Councillor Bigden as a long serving Councillor, a fighter for his local community, who had strong views on planning applications (especially those in Hatfield Peverel), and had suffered ill health in the last few years with courage and tenacity, but still served the Council in his role as Chairman in 2003/04. He was Vice Chairman of Witham Area Committee for 10 years and was found to be a reliable, stalwart Member who placed constituents first. He was described as a kind and gentle man, unfailingly friendly and a true servant to the people of Hatfield Peverel, and would be greatly missed by many Councillors.

Councillor Ms Denise was probably surprised when she was elected in May 2007 as one of the three Councillors in Braintree East Ward. She was the first French citizen to serve the Council, took her role very seriously and was still understanding the complexities of local government. She was friendly and bubbly, keen to learn, and exuded a distinctive continental flare.

Condolences were extended to the family, friends and colleagues of the two Councillors and, as a mark of respect all Councillors, officers and members of the public held one minute's silence in memory of Councillor Bigden and Councillor Ms Denise.

Presentations

The Chairman, Councillor Lady Newton, made two sets of presentations –

- **Chairman's Charities 2007/2008**

The Chairman thanked everyone who had donated in any way towards her chosen charities, especially Steve Daynes who had organised the Chairman's Golf Day, and reported a particularly good year had been achieved with a total of £15,000 being raised. Councillor Lady Newton was pleased to present cheques to the value of £5,000 to representatives from her three chosen charities for 2007/2008 – Young Carers, Coggeshall Prentice Youth Work Trust and Riding for the Disabled (Twinstead).

- **Councillors with 25 years continuous service**

The Chairman called upon Councillors Lynette Flint, John Gyford and David Mann to receive their certificates to commemorate 25 years continuous service as Braintree District Councillors. Each Councillor made a short speech and thanked everyone for their awards.

87 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred to the following issues:-

- (1) It was announced that Braintree District Council had been re-accredited with the **Investor in People** award, and thanks were expressed to all staff involved in the assessment.
- (2) The **lists of engagements** carried out by herself and the Vice-Chairman since the last meeting on 18th February 2008.
- (3) Congratulations were extended to **Councillor Jo Beavis** who had successfully run the London Marathon on 13th April 2008.

88 **DECLARATIONS OF INTEREST**

The following interest was declared:-

- Councillor Lady Newton declared a personal interest in Agenda item 10(a), Reference from Cabinet meeting 31st March 2008, as she is a Non-Executive Director of the Mid-Essex Primary Care Trust who are referred to in the Budget Carry Forward Requests within the Financial Report.

Unless stated otherwise, all Councillors remained in the meeting.

89 **MINUTES**

DECISION: That the minutes of the meeting of the Council held on 18th February 2008 be approved as a correct record and signed by the Chairman.

90 **QUESTION TIME**

INFORMATION: There was one statement made the details of which is appended to these minutes.

91 **ANNUAL REPORT OF THE STANDARDS COMMITTEE FOR 2007/08**

INFORMATION: Peter Schwier, Chairman of the Standards Committee presented the Annual Report and advised that during 2007-2008 the new Code of Conduct had been adopted, which had involved training for District, Town and Parish Councils. The Local Government and the Public Involvement in Health Act from May will result with all complaints and breaches of the Code of Conduct to be dealt with locally and to accommodate this training will be provided and the membership of the Committee has been extended from 9 to 12 members.

Councillor Finbow moved that the Annual report be noted, and Councillor Gyford seconded this.

DECISION: That the Annual Report of the Standards Committee for 2007/08 be noted.

92 **UPDATE OF REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

INFORMATION: The Leader of the Council presented the report relating to the Polling Station review and considerations for Polling Districts CK (Witham South) and DE (St Andrews Halstead); and a recommendation concerning the polling Place at (CD) Wethersfield.

DECISION:

- (1) That the United Reformed Church School Room, Wethersfield remains as the Polling Place for Wethersfield (CD).
- (2) That a full and formal review is undertaken of the Polling District of St Andrews (South) Halstead (DE).
- (3) That the Polling Place for the electorate of Witham South (CK) be the Sports Pavilion, Spinks Lane, Witham

93 **DEMOCRATIC RENEWAL TASK AND FINISH GROUP**

INFORMATION: Councillor Gyford, Chairman of the Democratic Renewal Task and Finish Group, presented and moved the report, provided some background information and advised of the Terms of Reference of the Group, within existing legislation. Members of the Group and Council officer's were thanked for their support in producing the report, plus colleagues who provided evidence material. It was noted that motivation to go to the polls is an area for Councillors and their political groups to address.

The Leader advised that the report and recommendation would be considered at the Cabinet meeting on 2nd June 2008, and may not require the normal three-month response time.

DECISION: That the recommendations at Pages 15 & 16 of the report be noted and are considered at the Cabinet meeting on 2nd June 2008.

94 **NOTICE OF MOTION – TACKLING CLIMATE CHANGE**

INFORMATION: The Chairman referred to the motion and invited the proposer, Councillor Mitchell, to address the meeting.

Councillor Mitchell, Deputy Cabinet Member for Environment and Sustainability, moved the motion, referred to its content and advised of sustainable energy initiatives by the Council, including the Climate Change report received at Cabinet on 31st March 2008. Councillor Walters seconded the motion.

Councillor Abbott moved and Councillor Hughes seconded an amendment of five additional clauses:-

- c) ensure that on-site renewable energy and the highest standards of energy efficiency, water conservation and recycling facilities are employed as standard on all BDC and BDC/partner new build projects;

- d) conduct a site by site audit of all existing BDC and BDC/partner buildings to identify further opportunities for energy savings, water conservation and improved recycling facilities, working as appropriate with local councillors and user groups;
- e) commit to a timetable for the installation of renewable energy technologies on sites where this has already been agreed or where there are clear opportunities for such, including Spring Lodge Community Centre and the new Braintree Swimming Pool;
- f) establish a site by site programme of investigation of energy savings from improved exterior lighting control (i.e. late evening switch offs for non-essential lighting, lower energy designs, etc.) at public and public access car parks in the District, including through dialogue with supermarkets and other major providers of car parking;
- g) ensure that no waste from BDC and BDC/partner buildings is incinerated (in order to prevent additional carbon emissions) and that as much as possible is recovered, recycled, composted or treated by genuinely sustainable methods such as anaerobic digestion.

During the discussion it was considered that the amendment was inappropriate alongside a motion on national issues. The amendments were considered to be for a local forum. Councillor Mitchell advised that Items (d), (e) & (f) are included within the Climate Change report, Item (c) would be incorporated in due course when the Carbon Manager post is in place, with Item (g) being discussed previously and remains ongoing.

The amendment was put to the vote and was declared LOST.

Members continued to consider the substantive motion, and some Members stated that an opportunity had been lost to expand and explain the motion, albeit that some of these measures had already been agreed by the Council but not carried through. It was considered that the Council should lead, and do much more themselves.

Councillor Eric Lynch reminded Members of his proposals for solar panels at the Braintree Pool – to demonstrate evidence of the Council's carbon footprint; and continued to refer to Uttlesford District Council's good practice guide/condition in planning permissions for energy efficiency in homes, and whether this criteria should be included in Braintree's planning policies. Councillor Walters advised that officers are exploring this issue, although there may be legal problems.

DECISION: That the Notice of Motion as set out on Page (iii) of the agenda be approved.

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

- (a) Cabinet 31st March 2008 – Financial Report 1st April to 31st December 2007

Councillor Lager, Cabinet Member for Resources and Performance, presented the budget carry forwards to 2008/09 on the General Fund Revenue Account; and a budget of £45,000 from the Local Authority Business Growth Incentive (LABGI) to develop the Economic Development Strategy.

DECISION:

- (1) That requests for budget allocations to be carried forward to 2008/09, as detailed in the report, be approved.
- (2) That a budget allocation of £45,000 from the LABGI reserve be approved to fund one-off support in developing the Economic Development Strategy for the district.

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

Councillor Dr Evans – Post Offices

INFORMATION: Councillor Dr Evans made a statement on the public reaction to the closure of Post Offices, especially in rural areas. There are currently 14,000 Post Offices in Britain (down from 25,000 in the 1960's), and closure numbers since the 1970's were quoted. The public drift away from Post Offices has continued to decline with many services being available through other outlets, i.e. T.V. and driving licences, car tax, passport facility, and paying bills online, and postage stamps sold in other shops. The public can also have payment of benefits and pension allowances made direct to their bank accounts.

At the Council meeting in November 2007 the opposition to the closure of three Post Offices in the District was made, although an amendment to 'where possible provide financial support and rate relief' was not supported. Nevertheless, it is noted that in 2007 the Council gave approximately £8,600 in support for rural Post Offices from the Rural Economy Fund. Recently, the County Council has announced a scheme proposing the allocation of £1.5m in subsidies to failing local Essex Post Offices over the next three years. Variation to the initiative appears to be gaining support from Government, the LGA and Post Office Ltd. to set up a broad scheme involving Councils across the country to save Post Offices in financial difficulties and threats of closure. Therefore, it is quite feasible that this Council could find itself part of Lord Hanningfield's vision that failing Post Offices 'if given a little support and help would be able to stand on their own two feet'.

97 **QUESTION TIME (PUBLIC SESSION)**

(i) **Statements by the Leader/Cabinet Members and Deputy Cabinet Members**

INFORMATION: The following statements were made: -

Issuing of bus passes. Councillor Harley gave an update on the position of issuing bus passes – an area now dealt with by an external company, Elucid, who had experienced difficulties and had a backlog of applications. New applications for bus passes had been submitted to Elucid, but will not be processed until existing user passes are issued. An item has been placed on the website advising of this, and informing residents that they may continue to use their old bus pass until 30th April 2008.

Public/Private Partnership Achievement of the Year. Councillor Harley also reported that Braintree District Council are one of six finalists in the Public/Private Partnership Achievement of the Year awards, run by the Municipal Journal. The winners will be announced on 26th June 2008.

(ii) **Oral Questions**

INFORMATION: Members were invited to ask any questions of the Leader on non-operational matters and the following questions were asked: -

Councillor Hughes requested **carbon dioxide emission** statistics on the residual waste for the Essex Waste PFI bid at **Rivenhall** Airfield. Could the Council give an approximate figure to the carbon dioxide emitted to the atmosphere and how this is compatible on the Council's claim to reduce carbon emissions?

Councillor Walters stated this question was inappropriate as the size and scale of the plant has not gone to public consultation or a planning application stage.

Councillor Dr Evans referred to a letter from the LGA in response to correspondence on the Council's **Financial Settlement**, and an offer from Stephen Jones, the Director of Finance & Performance, to meet with Councillor Lager and officers. Was this offer taken up and what is the current situation?

Councillor Lager advised that the offer was not accepted, and that the Council had made a point on the inadequacy of the Grant, and could take the matter further depending on the amount of future Grants.

Councillor Dr Evans queried if the Council had considered submitting a bid for a **Beacon Award** for dealing with anti-social behaviour, or indeed for a Beacon Award? The Leader stated that himself and the Chief Executive are considering this.

Councillor Eric Lynch stated that, from a personal viewpoint, he fully recommended the **installation of smoke alarms** in homes, and suggested using the resources of the Council to publicise the scheme run by Essex Fire Brigade to promote the installation of fire alarms including a free test of alarms and advice to homeowners.

The Leader advised that every opportunity should be taken to publicise the scheme and help save lives.

ACTION POINT: That the Health & Safety section, Environmental Services and the Council's PR officers note the above request.

Councillor Abbott stated that he had requested, on three occasions, to be informed of the outcome of the public meeting on **parking on grass verges** and parking at School Road and Valentine Way, Silver End.

The Leader responded that this was an operational issue, and that officers will note the request and inform Councillor Abbott and Councillor Butland of the result.

ACTION POINT: Officers to provide an update to Councillors, on the damage to and parking on grass verges at Silver End

(iii) **Chairmen's Statements**

INFORMATION: No statements were made.

(iv) **Minutes of Meetings in Public Session**

INFORMATION: Members were invited to raise any matters arising from the minutes of meetings held in public session that had been published since the Council Meeting on 18th February 2008.

Members noted that the minutes of the Planning Committee held on 18th March 2008 are currently not available.

Councillor Gyford referred to the Cabinet meeting of 31st March 2008, Minute 116, Annual Audit Management Letter. The Letter quotes the Council's position in the league table quartile and, it was reported, this was based on old figures and that performance levels are being addressed. This also links in with a decline, in 2007, in a satisfaction rating and that an analysis was taking place to identify where the levels were failing. Councillor Gyford queried where the turnaround of performance would be made known to Members, in a clear and comprehensible manner.

In response, Councillor Lager advised that reports are regularly made to Cabinet examining performance levels and showing trends, with scrutiny taking place at the Performance & Efficiency Programme Board.

Councillor Eric Lynch drew attention to Minute 72.7 (Disposal of Council-owned property in Braintree) of Braintree Local Committee held on 20th February 2008 and queried why the three properties concerned could not continue to be used as social housing, instead of being sold and money going into the General Fund.

The Leader responded that affordable housing is a key priority, and an Affordable Housing strategy would materialise during the coming year – a full strategy with appropriate funding.

Councillor Abbott made reference to Minutes 107 & 108 of the Cabinet meeting held on 31st March 2008, Question Time and the Allotments Task & Finish Group report, and questioned how long before action is taken on allotments, including the Cut Throat Lane site in Witham. The Council could relinquish control or provide a secure lockable fence.

Councillor Butland stated that Cabinet had three months to respond to the recommendations/report of the Task & Finish Group, including any proposed scheme to manage allotments.

The Leader drew attention the Halstead Local Committee 11th March 2008, Minute 53.5 Items (iv) & (v), on the refurbishment of Earls Colne Primary School outdoor swimming pool, and for additional CCTV Cameras for Halstead Town Centre, as good examples of Local Committee funding. However, a word of caution was advised, relating to when capital expenditure is issued, Members had to be mindful where funds for future revenue costs would come from.

98 **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: Two reports were received from Council representatives on external organisations

- **Councillor Fred Swallow - Braintree District CAB Management Board**

The Citizens' Advice Bureau (CAB) receives funding from the Council under a three

Year Service Level Agreement, and the following report cover the work of the CAB for 2007/08.

The Council's contribution goes towards 'core costs' and during this time the CAB have

- Leveraged additional funding of £57,706 for specialist services and projects, with additional applications of £26,645 submitted and awaiting decision. This would not be possible without the Council's grant as an indication of long term stability to potential donors.
- An average of 43 volunteers have given 12,384 voluntary hours to deliver CAB services
- 10,672 enquiries have been dealt with by personal visit/appointment, telephone and email
- Maintained offices open to the public in Braintree, Halstead and Witham, with further outreach offices being opened as and when resources and volunteers can be gained
- Based on gains for clients and additional funding achieved as a result of the Council's grant the CAB have added value of £3 for every £1 of the Council's grant.

- **Councillor Mrs Sandra Howell – Braintree District Voluntary Support Agency Trustees Board (BDVSA)**

The BDVSA is a registered charity with a constitution adopted on 10th August 1999, and an aim to give help and support to the many voluntary and community groups in the Braintree district. As with many voluntary groups funding has become more difficult to find and Councillor Howell was pleased to report that a successful lottery bid spread over five years was awarded in August 2007, for a project known as Management Matters, with an aim to support, co-ordinate, promote and develop the work of the voluntary sector in the district, and up to 300 voluntary organisations will benefit from this

The BDVSA continues to work closely with local statutory organisations, national bodies, and is the lead group in taking the local Compact forward. Their most important roles are enabling local statutory and voluntary organisations work together openly and helping small community groups with training, governance and management issues.

Over a two-week period, of the 950 volunteering enquiries about 150 go on to register and another 220 are referred directly to other agencies.

Greenfingers continues to be successful – this being a scheme where 80 gardens at any one time, that belong to older or disabled people, are tended by volunteers. This has an enquiry rate over a two-week period of approximately 650.

In addition, a quarterly newsletter gives regular 'snippets' and a copy is left in the Members Room.

Concluding, Councillor Howell advised that the Council grant to the BDVSA has a formal Service Level Agreement and monitoring arrangements.

The Leader congratulated Councillor Mrs Howell on her report, and welcomed her back to meetings.

There being no items in private session the Chairman closed the meeting.

At this point the Chairman stated that as this was the last Council meeting of the Civic Year she wished to state how she had enjoyed the past year, and thanked Members for their level of debate. She also thanked officers for their support and advice, and the staff of the Civic Office for their support to herself and the Vice Chairman – who had provided invaluable help.

The meeting commenced at 7.15pm and closed at 9.04pm.

Lady Newton
(Chairman)

APPENDIX
COUNCIL MEETING
14TH APRIL 2008
PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Stephen Norris, Hole Farm, Ashen Road, Ovington
Relating to Affordable Rural Housing

Mr Norris made the following prepared statement

'The shadow minister for agriculture and rural affairs said on the report by Dr Stuart Burgess the Prime Ministers rural advocate "this report demonstrated Labours failure to rural proof its polices. While Labour continues to dither over the lack of affordable housing, the country side is losing its young people, schools, healthcare facilities, village pubs etc.'

'What assurances can this council give that they will not dither on rural proofing its policy's and local development frameworks.?'

Councillor Mrs Beavis, Cabinet Member for Community Support and Engagement, thanked Mr Norris for the valid points made, and stated affordable housing is a priority for the Council. The points will be considered as the Council takes forward the Local Development Framework and consultation to developing a Housing Strategy. Planning policy RLP6 on affordable housing in rural areas has provided housing on exception sites in villages and statistics were quoted. Under emerging policy a wide range of options are being considered to revise the Council's affordable housing policies and include

- *lowering threshold at which developments include affordable homes*
- *increasing the proportion of affordable homes*
- *commissioning a study of housing land available in rural areas*
- *use of new powers over the management of empty properties.*

On a wider aspect the demise of rural facilities was noted, and although rural housing (including affordable housing) will assist this, other rural policies will need to be considered, i.e. public transport, local business, youth schemes.

The Council's Directions & Ambitions 2008-2012, plus the approach of joined up working and Local Strategic Partnership and the Local Area Agreement will achieve this.