

Minutes

Council Meeting



13th November 2006

Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	R M Haslam	Apologies
M J Banthorpe	Yes	P A Heath	Yes
P R Barlow	Yes	P J Hughes	Apologies
Mrs J C Beavis	Yes	A G W Jenner	Yes
K E Bigden	Apologies	M C M Lager	Yes
E Bishop	Yes	E R Lynch	Yes
S J Bolter	Yes	M Lynch	Yes
R J Bolton	Apologies	D Mann	Yes
K D Boylan	Yes	Ms J S M Martin	Apologies
B T Broyd	Yes	N G McCrea	Apologies
G Butland	Yes	A F Millam	Yes
Mrs H W Catley	Yes	R G S Mitchell	Yes
R Cavinder	Apologies	Lady Newton	Yes from 8.05
J C Collar	Apologies	Mrs J A Pell	Apologies
C F Coughlan	Yes	J W Pilgrim	Yes
N D C Edey	Yes	Mrs J B Reekie	Yes
W P Edwards	Yes	D M Reid	Yes
Dr R L Evans	Yes	D E A Rice	Yes
A V E Everard	Yes	Mrs W D Scattergood	Yes
J H G Finbow	Apologies	Mrs J W Schmitt	Yes
D M Finch (Chairman)	Yes	A F Shelton	Apologies
Ms L B Flint	Yes	Mrs G A Spray	Yes
T J W Foster	Yes	Mrs K E Tearle	Yes
Mrs B A Gage (Vice-Chairman)	Yes	Miss M Thorogood	Yes
M G Gage	Apologies	R A G Tincknell	Yes
Mrs M E Galione	Yes	P J R Turner	Yes
B J Gaught	Apologies	S M Walsh	Yes
M J Green	Apologies	R G Walters	Yes
J E B Gyford	Yes	Ms L R Watson	Yes
N R H O Harley	Yes	T S Wilkinson	Yes

The Chairman welcomed all Councillors and members of the public and press to the meeting. He drew their attention to details of the evacuation procedures as outlined on the Agenda, the need to switch off mobile 'phones and the importance of Members using the microphones.

54 DECLARATIONS OF INTEREST

INFORMATION: The following declarations of interest were made and in accordance with the Code of Conduct Councillors remained in the meeting and took part in the discussion and vote unless stated otherwise.

Councillors Banthorpe, Mrs Beavis, E Lynch and Mann declared a personal interest in agenda item 5 Policy Recommendations concerning consultation on the offer document as they are all Members of the Shadow Board.

55 MINUTES

DECISION: That the minutes of the meeting of the Council held on 16th October 2006 be approved as a correct record and signed by the Chairman subject to an amendment to show Councillor Mrs Scattergood as being present and under Minute 52(1) – Mobile CCTV Vehicle, to make it clear that the new vehicle would be purchased in November and had not, as indicated, already been purchased.

56 PUBLIC QUESTION TIME

INFORMATION: The Chairman ruled that the request from Mr David Webb of Defend Council Housing, to ask a question at this meeting be refused. His request had been received after deadline for the submission of public questions. The Chairman stated that having refused others the opportunity of speaking for the same reason in the past he was applying a consistent approach.

57 CHAIRMAN'S ANNOUNCEMENTS

INFORMATION: The Chairman referred to a certificate that he had received from Mr James Fahey and the Commonwealth of Massachusetts, House of Representatives, offering best wishes and good fortune to the District of Braintree.

58 POLICY RECOMMENDATIONS – PUBLIC SESSION

INFORMATION: Consideration was given to the following recommendations: -

- (1) Licensing Committee – 9th November 2006
Minute 30 – Gambling Act 2005

DECISION: That the Braintree District Council Gambling Licensing Policy Statement in respect of the Gambling Act 2005 be adopted.

- (2) Housing Programme Board – 8th November 2006
Minute 30 – Large Scale Voluntary Transfer/Offer Document: Response to Consultation.

Councillor Butland, Leader of the Council moved the recommendations from the Housing Programme Board. In so moving the recommendations the Leader stated that the consultation period had closed on Friday 10th November 2006 and an updated summary of the consultation responses had been circulated to all Councillors at the start of the meeting. Having carried out consultation on the "Offer Document" this enabled the Council to move to the next stage of the process and to ballot tenants and leaseholders over the proposed transfer of the housing stock to a Housing Association based on the Community Gateway Model.

During a full debate a number of Councillors spoke in support of the Council's offer to tenants and leaseholders and urged everyone to vote so that the outcome would give the Council a clear mandate to move in the chosen direction. Some Members felt that the Council was left with no choice given existing legislation. One Councillor expressed her disappointment at the low number of responses to the consultation and reiterated

her concern that many tenants she had spoken to believed there was no choice. Another Councillor referred to the promised freedoms of the recent Government White Paper and compared these to the inflexible rules surrounding Council housing.

A number of Councillors referred to the fact that the Council's offer was as good an offer as was possible and was a credit to the Council. They felt this Offer Document would assure that tenants had a decent home at an affordable rent and they would have a say in the running their own homes if they so wished.

In responding to a question from Councillor Turner the Leader stated that the costs of stage 1 of the Ballot process were approximately £1.4m but he would provide a full breakdown of the expenditure for all Councillors. In response to a question from Councillor Bolter the Leader explained that the Council had written to Ministers seeking clarification on the law and had actively looked to evaluate all possible alternatives.

DECISION: That approval be given to proceed to a formal ballot for the transfer of the Council's homes to Greenfields Community Housing.

1. That the responses of tenants and leaseholders (as set out in the Council report) be noted.
2. That a formal Stage 2 letter be issued to the Council's secure tenants confirming:-
 - 2.1 the terms of the Council's offer as set out in the formal (stage 1) consultation document;
 - 2.2 tenants' right to communicate objections to the Council's proposals to Department of Communities and Local Government within 28 days from the Stage 2 Letter;
 - 2.3 the ability of the Secretary of State for the Department of Communities and Local Government to withhold consent if a majority of affected tenants do not wish the transfer to proceed.
3. That the Electoral Reform Services Ltd be commissioned to carry out a formal ballot of tenants in respect of a transfer to Greenfields Community Housing.

(At the close of this item there was a short break whilst a member of the public was escorted out of the Council building).

59 STATEMENTS

INFORMATION: The following statements were made: -

Councillor Wilkinson referred to the Government's proposals for a house price tax based on increasing property values similar to that which had just been approved for Northern Ireland. He commented that this was unfair to the majority of residents whose house values had increased but whose incomes had not increased similarly.

Councillor Rice raised concern at the severe lack of public car parking at St Michael's Hospital, Braintree. He understood that the Council's Planning officers were discussing the matter with developers to see if more car parking could be made available.

Councillor E Lynch referred to his comments around the role of PCSO's made at the last Council meeting and referred to the potential for the Council's housing estate managers and other staff that worked in the field to work together in partnership with the Police.

(1) Statements by the Leader and Cabinet Members

INFORMATION: The following statements were made: -

Government White Paper “*Strong and Prosperous Communities*” Councillor Butland referred to the White Paper that had been released at the end of October and stated that he would be establishing a working group involving Group Leaders and two Members of Cabinet. He would ask this Group to take an early look at the White Paper, to await the details that would be released in legislation and the outcome of the Lyons Inquiry into Local Government and report back to Council in the New Year.

Councillor Mrs Schmitt Cabinet Member for Public Protection and Healthy Living reported on a number of projects within her portfolio:

Councillor Mrs Schmitt congratulated NACRO who's Community Sports Project had won the Innovative Award at the Essex Southend & Thurrock Sports Awards. They will go forward to the Regional awards in the New Year. She advised Council that the Braintree and District Athletic Club had been short-listed for the Club/Team of the year category. She advised that the Council had successfully obtained funding for two part time community sports coaches through Sport England and it was hoped that these posts would be filled by December.

Members were informed that a one-day cricket coaching camp would take place at Notley Sports Centre on 21st December for 7 to 12 year olds.

Councillors noted that 85 walkers attended during GP Surgery Walks/Heart and Sole events held in Coggeshall, Witham and Braintree and in the Fit For Fun 5 week programme 150 children from 5 schools had started and another 6 schools would be joining from November.

Councillor Mrs Schmitt announced that the Essex Police Pub Watch Scheme had been launched today and once the Committee was up and running she would report on progress and Halstead and Witham should commence during the late spring. Finally she passed on congratulations to The Bull at Halstead which had become the first licensed premises in the District to earn the Essex Police Safer Bars Accreditation.

Charter Mark for Development Services. Councillor Mrs Scattergood, Cabinet Member for Planning and Rural Issues, wished to congratulate all staff involved in successfully retaining the Charter Mark accreditation for Development Services.

Planning Delivery Grant. Councillor Mrs Scattergood advised Council that an additional £91,000 of grant had been received from the Government.

(2) Oral Questions

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

Councillor Banthorpe asked the Leader if he was aware of the level of public concern over the lack of progress with the project to build the Braintree Community Hospital at St Michaels?

The Leader commented that he was aware and had set up a meeting with the Chairman and Chief Executive of the Mid-Essex Primary Care Trust and would inform Members of the outcome of this meeting.

Councillor Edey informed the Leader that there was an urgent need for an integrated system of traffic control outside the new Abbeyfield development and asked if he would use his best efforts to encourage the County Council to include this project in the next Local Transport Plan?

The Leader commented that he would look at the issue.

Councillor Foster asked if the Leader was aware that the new recycling bins only had half the Council's coat of arms printed on them and asked if he would raise this issue with the relevant Council department? The Leader felt that whilst this was an operational matter he was sure officers would look into this issue.

Councillor Dr Evans asked the Leader if the Council would be responding to the invitation outlined by the Government in its White Paper to look at options for unitary local government within Essex?

The Leader stated that these proposals required all districts and the County Council to agree on proposals in order for these to be taken forward. He felt that based on his discussions with other Leaders it was unlikely that all the districts and the County Council within Essex would agree on a solution. However, he would be bringing forward proposals for better two tier working with the County Council.

Councillor Barlow referred to his written question concerning problems with getting contractors to undertake works to a tree. He felt that this was unacceptable and asked if officers would take this on board with future planning?

The Leader advised that although he felt this was an operational matter he was sure that officers would respond to this issue in a positive manner.

Councillor Abbott asked if the Cabinet Member was aware of the apparent difficulties of prosecuting those who throw litter out of vehicles? He referred to a recent incident when he had provided the Police with full details of an offence but where the Police had informed him that there was nothing they could do. He felt this type of behaviour was both anti-social and an environmental nuisance.

Councillor Mrs Schmitt, Cabinet Member for Public Protection and Healthy Living, agreed with Councillor Abbott. She had already made representations to the relevant Government Department, DEFRA and was waiting for a response from them on this issue.

Councillor Turner, questioned whether the Council was succeeding in its efforts to implement the sustainability agenda throughout the Council. He made reference to matters at a recent meeting of the Witham Area Committee

Councillor Mrs Scattergood, Cabinet Member for Planning and Rural Issues stated that the Council was working on the Sustainability agenda and a report would be coming before Members for consultation.

Councillor Mrs Spray asked if the Halloween event at Sible Hedingham had proved a success and if so could this be expanded to other areas of the District in future years?

Councillor Mrs Schmitt, Cabinet Member for Public Protection and Healthy Living, explained that the events had proved a success and there were only a handful of

incidents in surrounding villages an overall reduction on the problems faced in previous years. Although the scheme in Sible Hedingham had District Council support it was the parish council that had taken the lead. She welcomed other parishes coming forward with similar proposals for next year.

Councillor Tincknell raised concerns at the lack of recycling facilities at a recently built block of flats. He asked what the Council's policy was on placing conditions for the sorting and storage of recyclable materials in new developments.

Councillor Butland stated that the Council had yet to solve this issue and both himself and fellow Members of the Area Committee had also experienced frustrations at recent meetings. He reassured Council that Councillor Scattergood, Cabinet Member for Planning was working with officers to ensure we have a fully comprehensive policy in place. We had signed up to the Nottingham Declaration and he wanted to ensure these sort of issues were dealt with as routine and not as an after thought.

Councillor Mrs Tearle questioned the Leader over what she felt was different advice being offered by Councillor Lager, Cabinet Member for Finance and Assets and the senior officer for Asset Management over the future of this project.

The Leader explained that the Council had a programme of funding for Spring Lodge and wanted to facilitate the three organisations continuing to thrive in their new homes. However, we had to work within limitations one of which was the fact the Community Hall did not belong to the Council.

Councillor Lady Newton referred to the damage being caused to local communities through the closure of rural post offices. She asked if the Leader agreed that there would be a detrimental impact on those without their own transport?

The Leader agreed.

(3) Chairmen's Statements

INFORMATION: There were no statements made.

(4) Minutes of Meetings in Public Session

INFORMATION: There were no comments under this item.

61 THE BUSINESS OF EXTERNAL ORGANISATIONS

INFORMATION: Councillor Mrs Galione advised Council that the BDVSA had carried out a litter pick. She thanks those who had helped including some Councillors. She reiterated that 99% of the litter appeared to have been thrown from cars.

There being no items in private session the Chairman closed the meeting at 8.28pm.

D M FINCH

(Chairman)