

# COUNCIL

## AGENDA



**THIS MEETING IS OPEN TO THE PUBLIC**

<http://www.braintree.gov.uk/Braintree/councildemocracy/committees/Council>

**Date:** Monday 5<sup>th</sup> November 2007

**Time:** 7.15 pm

**Venue:** Council Chamber, Causeway House, Bocking End, Braintree CM7 9HB

### Membership:

Councillor J E Abbott	Councillor Mrs B A Gage	Councillor Lady Newton (Chairman)
Councillor M J Banthorpe	Councillor M G Gage	Councillor J O'Reilly-Cicconi
Councillor Miss L Barlow	Councillor Mrs M E Galione	Councillor Mrs R O'Shea
Councillor J Baugh	Councillor J E B Gyford	Councillor Mrs J A Pell
Councillor Mrs J C Beavis	Councillor N R H O Harley	Councillor R Ramage
Councillor D L Bebb	Councillor Mrs S A Howell	Councillor D M Reid
Councillor K E Bigden	Councillor P J Hughes	Councillor D E A Rice
Councillor E Bishop	Councillor D L Hume	Councillor W Rose
Councillor R J Bolton	Councillor M C M Lager	Councillor Mrs C Sandbrook
Councillor G Butland	Councillor S J Lambourne	Councillor Mrs W D Scattergood
Councillor J C Collar	Councillor E R Lynch	Councillor Mrs J W Schmitt
Councillor Ms C J Denise	Councillor M Lynch	Councillor A F Shelton
Councillor M Dunn	Councillor D Mann	Councillor Mrs L Shepherd
Councillor Mrs E Edey	Councillor T McArdle	Councillor Mrs G A Spray
Councillor J G J Elliott	Councillor N G McCrea	Councillor F Swallow
Councillor Dr R L Evans	Councillor J McKee	Councillor Miss M Thorogood
Councillor A V E Everard	Councillor H J Messenger	Councillor S M Walsh
Councillor J H G Finbow	Councillor A M Meyer	Councillor R G Walters
Councillor Ms L B Flint	Councillor R G S Mitchell	Councillor R N Wilkins
Councillor T J W Foster	Councillor Mrs J M Money	Councillor T S Wilkinson

### QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. During this period Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Democratic Services Section on 01376 552525 or e-mail [eileen.self@braintree.gov.uk](mailto:eileen.self@braintree.gov.uk) prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham and Halstead.

**Members of the Council are requested to attend the above meeting, to transact the following business: -**

**PUBLIC SESSION**

1. **To receive any announcements/statements from the Chairman.**
2. **Declarations of Interest.**
  - (a) To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.
  - (b) Any member with a personal and prejudicial interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time
3. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 17<sup>th</sup> September 2007 (Copy enclosed).
4. **Question Time.** (See above paragraph).
5. **Housing Transfer.** To consider issues relating to the transfer of the Council's Housing Stock to Greenfields Community Housing. (Report to follow)  
  
Including recommendations from Housing Transfer Programme Board - 19<sup>th</sup> September & 17<sup>th</sup> October 2007. Extract attached – Page 1.
6. Appointment of the Monitoring Officer. Recommendation from the Local Government Reform Cabinet Sub Group – 11<sup>th</sup> October 2007. Extract attached – Page 2.
7. To consider the **Notice of Motion** as follows:-

'This Council opposes the proposals to close three Post Offices in the Braintree District at Bocking Church Street, White Notley and Panfield Lane. The Post Office provides an invaluable service to the community and, in particular, the elderly and disadvantaged. This Council will therefore campaign against these closures and lobby Government and the local M.P.'s'

Appropriate notice of the motion has been given to the Chief Executive under Rule 11 of Part 4 of the Constitution and the motion has been signed by Councillor Mrs J C Beavis, seconded by Councillor Mrs E Edey and supported by Councillors J Baugh, Mrs M E Galione, A M Meyer and T S Wilkinson. Please note that under Rule 11.3(b) if signed by at least six Members of the Council the Motion shall be dealt with at the meeting.

8. **Policy Recommendations and References.**

To consider any other policy recommendations which have arisen within the last meetings' cycle.

- Licensing Committee 10<sup>th</sup> October 2007 – Street Trading and Collections Policy. Extract of minutes and report attached. (Page 3)

9. **Statements by Members.**

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement. *There are no statements.*

*(Please note that the maximum time set aside for item 9 shall not exceed 30 minutes)*

10. **Question Time**

- (i) **Leader's Statement** or statement by Cabinet Members on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

*(Please note that the time set aside for item 10(ii) shall not exceed 30 minutes)*

- (iii) **Chairmen's Statements.** To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements. *None have been received.*
- (iv) To receive and raise any matters arising from the **minutes of meetings in public session** published since the Council Meeting on 17<sup>th</sup> September 2007. (Paper attached – Page 19).

11. To receive reports about and receive questions and answers on the **business of external organisations** *(if any)*.

Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.

PRIVATE SESSION

12. **Statements by Members – Private Session**

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

*There are no statements*

*(Please note that the maximum time set aside for item 12 shall not exceed 30 minutes)*

13. **Question Time - Private Session**

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.
- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants and which contain exempt information. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

*(Please note that the time set aside for item 13(ii) shall not exceed 30 minutes)*

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from the following Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements - *There are none.*
- (iv) To receive and raise any matters arising from the **minutes of meetings in private session** published since the Council Meeting on 17<sup>th</sup> September 2007 – *There are none.*

14. **Private Session Policy Recommendations.** To consider any policy recommendations (in private session) which have arisen within the last meetings' cycle – *There are none.*

If you are unable to attend the meeting please forward your apologies for absence to Eileen Self, Extension 2612 or email [eileen.self@braintree.gov.uk](mailto:eileen.self@braintree.gov.uk) . The last page of this agenda is numbered 19.

A J REID

Chief Executive

**Health and Safety**

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Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended .....

Date of Meeting .....

Comments.....

Contact details.....