

Minutes

Council Meeting



19th February 2007

Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	R M Haslam	Yes
M J Banthorpe	Yes	P A Heath	Yes
P R Barlow	Yes	P J Hughes	Yes
Mrs J C Beavis	Yes	A G W Jenner	Yes
K E Bigden	Yes	M C M Lager	Yes
E Bishop	Yes	E R Lynch	Yes
S J Bolter	Yes	M Lynch	Yes
R J Bolton	Yes	D Mann	Yes
K D Boylan	No	Ms J S M Martin	Yes
B T Broyd	Yes	N G McCrea	Yes
G Butland	Yes	A F Millam	Yes (until 9.47pm)
Mrs H W Catley	Yes	R G S Mitchell	Yes
R Cavinder	Yes	Lady Newton	Yes
J C Collar	Yes	Mrs J A Pell	Yes
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	No
Dr R L Evans	Yes	D E A Rice	Yes
A V E Everard	Yes	Mrs W D Scattergood	Yes
J H G Finbow (Chairman)	Yes	Mrs J W Schmitt	Yes
D M Finch (Vice-Chairman)	Yes	A F Shelton	Yes
Ms L B Flint	Yes	Mrs G A Spray	Yes
T J W Foster	Yes	Mrs K E Tearle	No
Mrs B A Gage	Yes	Miss M Thorogood	Yes
M G Gage	Yes	R A G Tincknell	Yes
Mrs M E Galione	Yes	P J R Turner	Yes
B J Gaught	Yes	S M Walsh	Yes
M J Green	Yes (until 8.30pm)	R G Walters	Yes
J E B Gyford	Yes	Ms L R Watson	Yes
N R H O Harley	Yes	T S Wilkinson	Yes

Mr A French, Chairman of the Standards Committee, was also in attendance.

The Chairman welcomed all Councillors and members of the public and press to the meeting. He drew their attention to the evacuation procedure in case of an emergency and of the need for Members to use the microphones.

71 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the following issues:-

- (1) **Former Councillor George Warne** – The Chairman reported with great sadness that former Councillor George Warne had died. The Chairman described George Warne as a man of considerable character who was known as a man of the people. The Chairman stated that George Warne had been the first Chairman of Braintree District Council, that he had worked tirelessly over the years for the people of his Ward and the District as a whole and that he had been a true gentleman. Councillors Butland, Gaught and Mann paid tribute to George Warne and they spoke of their memories and knowledge of him. The Chairman invited everyone present to stand for one minute's silence in memory of George Warne.
- (2) **Patrick Dempsey, Monitoring Officer – Operation** – The Chairman was pleased to report that Patrick Dempsey was convalescing well following a recent hip replacement operation. On behalf of the Council, the Chairman wished Patrick Dempsey a speedy recovery.
- (3) **Rob Atkins, Chief Executive – Retirement** – The Chairman announced that Rob Atkins, Deputy Chief Executive, would be retiring from the Council on 31st March 2007 following almost 17 years service with the Council. The Chairman presented Rob Atkins with a certificate and thanked him for his significant contribution to the Council, particularly his recent key role in managing the housing transfer process. Rob Atkins responded by paying tribute to the excellent relationships between Councillors, Officers and Union representatives at the Council, which made Braintree so special. Rob Atkins wished the Council well for the future.

72 DECLARATIONS OF INTEREST

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

Councillors Banthorpe, Mrs Beavis, E Lynch, Mann and Shelton all declared a personal interest in Agenda Item 5(2) - recommendation from Cabinet regarding the housing stock transfer ballot decision as they are all Members of Greenfields Community Housing Shadow Board.

Councillor Heath declared a personal interest in Agenda Item 7 – Notice of Motion regarding the construction of a second runway at Stansted Airport, as he is employed by a company based at the Airport.

Councillor Lady Newton declared a personal interest in Agenda Item 9 (ii) – Questions by Members, as she is a member of Mid-Essex NHS Primary Care Trust.

73 MINUTES

DECISION: That the minutes of the meeting of the Council held on 11th December 2006 be approved as a correct record and signed by the Chairman.

74 **PUBLIC QUESTION TIME**

INFORMATION: The Council received a statement from Mrs L Jones concerning the transfer of the Council's housing stock and, in particular, the role of the Community Gateway Group, the details of which are set out in the Appendix to these Minutes.

75 **POLICY RECOMMENDATIONS AND REFERENCES– PUBLIC SESSION**

(1) Environment Policy Development Group - 29th November 2006

Councillor Abbott, Chairman of the Environment Policy Development Group, presented the Sustainability Vision Statement. Councillors considered the Vision Statement under the rules set out in the Policy Development Groups' protocol. Members were very supportive of the Vision Statement and agreed that it be referred to Cabinet.

DECISION: That the draft Sustainability Vision Statement be referred to the Cabinet.

(2) Standards Committee – 7th December 2006

Minute 16 – Fifth Annual Assembly of Standards Committees (16/17 October 2006)

DECISION: That, following the District Council elections in May 2007, appointments to the Area Committees, District Development Committee and Licensing Committee [including Hearing Panels] be made on the basis that no Member shall participate in any quasi-judicial function, including the consideration and determination of any planning or licensing application, beyond the date of three months following election unless he/she has received training on the Code of Conduct [including pre-determination and bias], or until such a time as training has been received.

(Paragraphs (2) to (5) of the Standards Committee's decision under Minute 16 were not considered by Council as these were not recommendations).

District Development Committee – 25th January 2007 and Cabinet - 5th February 2007

Minutes 47 and 89(i) - Local Development Framework

DECISION:

- (1) That the establishment of a Local Development Framework Panel be approved in accordance with the Terms of Reference circulated at the Council meeting, subject to the membership being in accordance with the Widdecombe rules on political balance on the basis of three Conservatives; two Labour; one Green; one Independent; and one Liberal Democrat.

- (2) That Councillors Abbott, Barlow, Butland, M Gage, Harley, Mann, Mrs Scattergood and Turner be appointed to the Local Development Framework Panel for the remainder of the 2006/07 Civic Year.

(It was noted that the first meeting of the Panel had been arranged for 5th March 2007).

Cabinet - 5th February 2007

Minute 78 – Implications of Ballot Decision

DECISION:-

- (i) That the ballot result, appointment of consultants and the proposed transfer date be noted.
- (ii) That the process, terms of reference and delegation to the Programme Board as detailed in the report, be agreed.
- (iii) That the Section 25 loan request of £3.575m and post ballot budget of £395,000 be approved.
- (iv) That officers be requested to consider the benefits/risks of other loan requests detailed in the report and that the results be reported back to the Housing Transfer Programme Board.

Cabinet - 5th February 2007

Minute 85 – Proposed Changes to the East of England Plan

DECISION: That the comments set out in paragraphs 13 to 22 of the report to Cabinet, together with the issues referred to in the text of Minute 85, be used as the basis of this Council's representations on the Secretary of State's proposed changes to the East of England Plan and that the Cabinet Member for Planning and Rural Issues submits the representations to Government using delegated powers following further discussion of the changes within the Council and with our partners. The response to include the following points:

- (i) That the Council considers that the Plan as proposed and its impact on the environment and natural resources, particularly water use, is neither deliverable or sustainable with its lack of funding to support the infrastructure needed for this District and the region.
- (ii) The Plan should recognise the contribution that the District has made to meeting the region's housing needs over the last ten to fifteen years by planning for the appropriate investment in infrastructure and employment.
- (iii) The Plan should include a stronger policy that links development to the provision of the necessary infrastructure.
- (iv) Concern that the housing figures are now expressed as a minimum. This is likely to encourage unnecessary development exacerbating the problems of infrastructure and employment imbalance and undermining the overall regional spatial strategy.
- (v) Concern that the Plan does not contain clear guidance for LDDs on the minimum level of affordable housing to be achieved and that the 35% referred to in the Plan is expressed as an aspiration rather than a requirement.

- (vi) Concern that the proposed changes to the Plan have made it less sustainable with little consideration of improvements to the public transport network.
- (vii) Objection to proposed paragraphs 4.32 and Policy E8 of the Plan which support a new runway at Stansted Airport.
- (viii) The Plan should give greater emphasis to rail improvements, particularly the Braintree line, and improvements to East-West routes.
- (ix) The A120, as part of the Trans European road network, should be listed in the table of inter-regional linkages and the impact of this route on the A131 particularly at Halstead and other north/south routes it crosses, should not be ignored.
- (x) Policy T15 of the Plan should refer to implementing improvements in the London to Ipswich corridor identified by the LOIS study.
- (xi) Concern that the requirements for other infrastructure such as health, education, adult social care, water and sewerage will now be dealt with in a non-statutory Implementation Plan.
- (xii) The reference to a possible extension of the Green Belt to the north of Chelmsford at paragraph 13.61 of the Plan is inappropriate and should be deleted.
- (xiii) Welcome the new Chapter on Carbon Dioxide Emissions and Renewable Energy, but suggest that these should be backed up by changes to building regulations.

Cabinet - 5th February 2007

Minute 86 – Braintree Swimming Centre

DECISION:

- (i) That the progress of the Braintree Swimming Centre project be noted.
- (ii) That the Capital Bid in the sum of £250,000 be approved.

76 **COUNCIL BUDGET, COUNCIL TAX AND RENTS 2007/08 INCLUDING THE RECOMMENDATIONS FROM MINUTE 79 OF THE CABINET MEETING HELD ON 5th FEBRUARY 2007**

Councillor Lager, Cabinet Member for Finance and Assets, referred to the recommendations contained in minute 79 of the Cabinet minutes of 5th February 2007. He explained each of the recommendations with reference to the Cabinet papers, copies of which had been circulated to all Councillors.

Councillor Lager, Cabinet Member for Finance and Assets, went on to move that the recommendations contained in minute 79 (1) to (15) be approved. This was then seconded.

In discussing this item, the following three amendments were moved and seconded.

That the Council creates a matching Urban Development Fund to complement the Rural Development Fund that has been used to aid Parish Councils. Such a fund to be accessible to Town Councils and representative neighbourhood groups in the un-

parished area of Braintree and Bocking. The money for the matching sums of £40k revenue and £60k capital to be funded from balances.

On being put to the vote this amendment was declared LOST.

That the Council re-names the Rural Development Fund to be the Community Development Fund and the fund's money to be distributed equally, £20k each for revenue and capital, between the Parishes and the urban areas, viz Town Councils and representative neighbourhood groups in the un-parished area of Braintree and Bocking. On being put to the vote this amendment was declared LOST.

That the Council removes the Rural Development Fund from the base budget and therefore realises savings of £100k – £40k from the General Fund and £60k from capital. The Council Tax will therefore be 3.3% instead of 3.8%, below instead of above the Government's state pension increase percentage for this coming financial year. On being put to the vote this amendment was declared LOST.

DECISION: -

- (1) That the budget variations to the current base budget, as summarised in Appendix F to the Cabinet report, be approved.
- (2) That the budget bids detailed in Appendix C to the Cabinet report be approved, provided that the necessary resources required are found within existing resources.
- (3) That the budget bids detailed in Appendix D to the Cabinet report be approved.
- (4) That the Fees and Charges for 2007/08 as shown in Appendix E to the Cabinet report be approved.
- (5) That the Housing Revenue Account revised estimates for 2006/07 and the full estimates for 2007/08, as shown in Appendix H to the Cabinet report, be approved.
- (6) That the overall rent increase for 2007/08 be limited to 5% and that this be achieved by
 - (a) Increasing rents by 4.1% plus £2.00 per week for all rents currently more than £6.00 below target rent; and
 - (b) Increasing all other rents by a maximum of 4.1% minus £0.40p per week (all figures on a 48 week basis).
- (7) That a change of policy on the rent charged to new tenants of a property be approved, such that all re-let rents be set at the target level for the property. The change to be effective from 1st April 2007.
- (8) That the Housing service charges for 2007/08, as detailed in Appendix I to the Cabinet report, be approved.
- (9) That the priority rankings assigned by the Cabinet Sub-Group to the General Fund capital bids for 2007/08, as listed in Appendix J to the Cabinet report, be approved.
- (10) That the Housing Investment Programme for 2007/08, as detailed in Appendix K to the Cabinet report, be approved.
- (11) That the Prudential Indicators and limits, as set out in Appendix L to the Cabinet report, be approved.
- (12) That the Treasury Management Strategy, including the Annual Investment Strategy, for 2007/08 be approved.

- (13) That the Policy Framework and virement levels as detailed in Appendix M to the Cabinet report, be approved.
- (14) That the proposed detailed estimates, as set out in Appendix G to the Cabinet report, and the proposed Council Tax increase be approved having taken into consideration:
 - (a) The consultation feedback received, attached as Appendix A to the Cabinet report, and
 - (b) The Finance Director's report on the robustness of the estimates and the adequacy of balances, attached as Appendix N to the Cabinet report.
- (15) That the Medium Term Financial Strategy be updated to take account of the information detailed in the Cabinet report and the decisions made.

Council Tax Resolution:

DECISION:

1. Under delegated powers, the Finance Director agreed the amount of Council Tax Base for 2007/08 as 51,995 Band D equivalents. He agreed also that the amounts calculated and set out in Column 2 of Schedule A of the report to Council should be the Council Tax Base for dwellings in those parts of the District listed in Column 1 of that Schedule.
2. The Council agrees a budget for 2007/08 of £17,166,070 after using £492,590 of earmarked reserves and general balances (as detailed in Appendix A). After taking into account revenue support grant, redistributed business rates, and the Council's share of the collection fund surplus, the Council's total charge on council taxpayers is £7,725,898. This equates to a Band D tax rate of £148.59, an increase of 3.8% compared to the current year.
3. That the following amounts are calculated by the Council for the year 2007/08, in accordance with Sections 32 to 36 of the Local Government Finance Act 1992: -
 - a) £62,194,070, being the expenditure the Council estimates it will incur in 2007/08 in performing its functions and which will be charged to a revenue account. This amount includes contingencies, estimated transfers to financial reserves, and local precepts issued to the Council.
 - b) £43,506,020, being receipts estimated by the Council for 2007/08 and which will be credited to a revenue account. This amount includes specific government grants and estimated transfers from financial reserves required to meet certain sums within the amount shown at (a) above, but excludes revenue support grant, redistributed business rates, and the Council's share of the estimated collection fund surplus.
 - c) £18,688,050, being the budget requirement for the year calculated as the difference between gross expenditure and income as set out at (a) and (b) above, and including the total of local precepts.

- d) £9,338,422, being the amount which is payable for 2007/08 into the General Fund in respect of revenue support grant and redistributed business rates.
- e) £101,750, being the amount that has been calculated as the Council's share of the estimated collection fund surplus for 2006/07, which will be transferred from the collection fund in 2007/08.
- f) £9,247,878, being the Council Tax requirement for the Council including the amount required by local precepting authorities, which will be transferred from the collection fund to the General Fund in 2007/08.
- g) £177.86, being the basic amount of Council Tax for 2007/08 including the average local precept tax rate calculated by dividing (f) by the total Council Tax base for the District.
- h) £1,521,980, being the aggregate amount of all precepts issued to the Council from local precepting authorities and taken into account in making the calculation of the budget requirement at (c) above, and shown in Column 3 of Schedule A.
- i) £148.59, being the basic amount of Council Tax for dwellings in those parts of the District where no special items relate, i.e. this is the District Council's element of the total Council Tax rate. This equates to the following charges on Council taxpayers:

<u>Valuation Band</u>	<u>Proportion of Band</u>	<u>Council Tax</u>
	<u>D Tax</u>	<u>£</u>
A	6/9	£99.06
B	7/9	£115.57
C	8/9	£132.08
D	9/9	£148.59
E	11/9	£181.61
F	13/9	£214.63
G	15/9	£247.65
H	18/9	£297.18

- j) The amounts shown in Column 5 of Schedule A, calculated by adding to the amount at (i) above, the precept amount relating to each parish/ town council area, divided by the tax base for that area. This represents the basic amount of Council Tax for each parish/ town council area, incorporating both the District and parish/ town council element of the total Council Tax amount. The charge for each property Band derived from this basic amount of Council Tax for each parish/ town council area is also shown in Schedule A.
4. That it be noted that Essex County Council, Essex Police Authority, and Essex Fire Authority have indicated that the following precepts will be issued to the Council for 2007/08:

Essex County Council £52,200,380

Essex Police Authority £6,055,338

Essex Fire Authority £3,116,580

And expressed as a tax rate for each of the categories of dwelling as shown below:

<u>Valuation Band</u>	<u>Essex County Council</u>	<u>Essex Police Authority</u>	<u>Essex Fire Authority</u>
A	669.30	77.64	39.96
B	780.85	90.58	46.62
C	892.40	103.52	53.28
D	1003.95	116.46	59.94
E	1227.05	142.34	73.26
F	1450.15	168.22	86.58
G	1673.25	194.10	99.90
H	2007.90	232.92	119.88

5. That having calculated the aggregate of the amounts stated under (i), (j), and 4. above for each area within the District, the Council hereby sets the amounts shown in Schedule B as the amount of Council Tax for 2007/08 for each of the categories of dwellings.
6. The Council resolves that any expenses incurred in performing in part of its area a function that is performed elsewhere in its area by a parish or town council, or a Chairman of a parish meeting, shall not be treated as Special Expenses for the purposes of Section 35 of the Local Government Finance Act 1992.

77 **NOTICE OF MOTION**

INFORMATION: Consideration was given to the following Notice of Motion proposed by Councillor Harley, seconded by Councillor Butland and signed by Councillors Mrs Beavis, M Gage, Lager, Mrs Scattergood, Mrs Schmitt, Walters and Wilkinson that 'this Council re-affirms its opposition to the construction of a second runway at Stansted.'

DECISION: That the Notice of Motion be supported.

78 **STATEMENTS BY MEMBERS**

(1) **Written Statements**

INFORMATION: No notice of any written statements had been received

(2) **Oral Statements**

INFORMATION: The following oral statements were made without notice.

Statement by Councillor Abbott – Councillor Abbott referred to the lack of a Council policy on the laying of grit on pavements during icy weather, especially in critical areas. Councillor Abbott acknowledged that there would be resource implications, but he suggested that this could be a subject for investigation under partnership arrangements with other authorities

Councillor M Gage responded by stating that the laying of grit was the responsibility of Essex County Council, but that Braintree District Council provided support. Priority was given to high use areas such as schools. Councillor Gage indicated that the County Council would be dealing with some of the particular problems at Silver End which had been drawn to their attention.

Statement by Councillor Edwards – Councillor Edwards expressed concern that District Council funding to Braintree Community Centre had been cut. He indicated that the Community Centre currently provided services which saved Council expenditure in other areas, but that without funding the Community Centre would not be able to provide the services.

Councillor Butland responded by stating that there had been a change to the way in which the District Council provided finance to voluntary organisations. Furthermore, the Community Centre was not the only community group in the District. However, despite this the Council had helped the Community Association to make improvements to the Centre.

Statement by Councillor Shelton – Councillor Shelton indicated that grants from the Council's Rural Development Fund had benefited two areas of the District. The villages of Alphamstone and Lamarsh had received approximately £2,800 for well refurbishment and Pebmarsh had received £5,000 for play equipment.

Councillor Mrs Scattergood responded by stating that 56 projects had been funded over the past two years. The fund enabled organisations to lever further funding from elsewhere.

79 **QUESTION TIME**

(1) **Statements by the Leader/Cabinet Members**

INFORMATION: The following statement was made: -

Councillor Mrs Schmitt, Cabinet Member for Public Protection and Healthy Living, stated that Witham Pub Watch would be launched on 2nd March 2007.

(2) **Oral Questions**

(During the consideration of this item and, in accordance with paragraph 8 of Part 4 of the Constitution, it was moved, seconded and AGREED to extend the duration of the meeting until 10.45pm to allow all items to be completed).

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

Councillor Shelton referred to a recent meeting of the Mid Essex NHS Primary Care Trust and he asked when the new community Hospital for Braintree was scheduled to be built and when Halstead Hospital League of Friends' offer to provide a new rehabilitation unit was likely to be accepted. Councillor Shelton referred also to changes in out-of-hours work which meant that Doctors were no longer calling on patients at night. This had led to some people having to travel some distance to William Julien Courtauld and Broomfield Hospitals in order to receive treatment. Councillor Shelton asked if the Council would write to the Primary Care Trust expressing concern about this.

The Leader stated that no information had been received about the community Hospital, but that he would await the outcome of the Primary Care Trust's Board meeting in March 2007 at which it would be discussed. However, he indicated that the views of Braintree District Council about the community Hospital had been made clear to the Trust. The Leader asked Councillor Shelton to provide him with specific information about out-of-hours work by Doctors in order that he might take this up with the Primary Care Trust.

Councillor Tincknell referred to the £50,000 community fund being made available to people in Braintree and Bocking as part of an initiative with Essex County Council and BBC Radio 5 Live. Councillor Tincknell asked if the Leader agreed that this made up for the funding which Essex County Council had taken away from local services in recent years; whether this high media profile competition three months ahead of an election was a stunt; and what, in the Leader's opinion had undergone the greatest inflation in recent years – Lord Hanningfield's budget, or his ego.

The Leader stated that the answer to the first two questions was no and that the third question did not deserve an answer.

Councillor Mrs Spray asked what measures had been taken during the current Council administration to combat the affects of anti-social behaviour and whether any such measures had been successful in achieving the desired result.

Councillor Mrs Schmitt responded by stating that Councillor Lager had referred to many of the ways in which anti-social behaviour was being dealt with during his earlier budget speech. However, Councillor Mrs Schmitt referred also to the on-going good work of Nacro and to the pilot 'be safe' initiative which was currently taking place. This involved work with schools and covered racism; anti-bullying; homophobia; and anti-social behaviour. Details of the number of anti-social behaviour contracts (ABCs) and anti-social behaviour orders (ASBOs) served appeared on the Council's web site, which indicated that 63 ABCs and 21 ASBOs, plus parenting contracts, had been served since 2003.

Councillor Bolton asked whether there had been any successful actions against fly-tipping in the North of the District.

Councillor Mrs Schmitt stated that a Great Yeldham man had been found guilty of fly-tipping recently and that the Magistrates had imposed a £1,000 fine plus costs.

Councillor Barlow referred to the rolling list of written questions and to the 13 weeks delay which he had experienced before receiving an answer to his question about Section 106 Agreements. He indicated that in the past this information had been readily available and he queried whether this delay was acceptable. Councillor Barlow referred also to the Section 106 Agreement relating to the Bridge Hospital site, Witham which required the Council to agree terms and conditions for the public use of the Assembly Hall. Councillor Barlow asked if the Leader agreed that the Council had an interest in the site, that Witham Area Committee had not been given all relevant information about the site when determining a planning application by the Jehovah's Witnesses on 30th January 2007 and, in the circumstances, whether the Leader would investigate whether Witham Area Committee could revisit and revoke its decision.

The Leader stated in response that the delay experienced by Councillor Barlow in receiving information requested about Section 106 Agreements was unacceptable. The Leader advised Councillor Barlow to contact the Chief Executive if he felt that the planning application had not been dealt with properly.

Councillor Collar asked for a progress report following the introduction of the Council's recycling scheme to the Halstead area.

Councillor M Gage stated, that as with Witham and Braintree, there had been some problems, but in general, the introduction of the new high diversion waste collection system had been accepted and recycling rates were improving.

Councillor Finbow queried whether Publicans required permission for the provision of smoking shelters at Public Houses and, if so, whether these also had to be licensed.

Councillor Mrs Scattergood stated that a planning application may be required. Councillor Mrs Schmitt stated that the location of the shelter would determine whether or not it would have to be licensed.

Councillor Edwards referred to problems being experienced with speeding motorists demolishing walls in Chapel Hill, Braintree and drivers of commercial vehicles over the weight limit using the road, and he asked if there was a policy on this.

The Leader stated that Braintree District Council was not responsible for these issues, but he undertook to make representations and he asked Councillor Edwards to provide him with the details. Councillor Walters indicated that Essex County Council prosecuted the drivers of overweight vehicles and, in his role as a County Councillor, he agreed to ask Essex County Council to investigate the use of Chapel Hill.

(3) Chairmen's Statements

INFORMATION: No statements were made.

(4) Minutes of Meetings in Public Session

INFORMATION: There were no matters arising.

80 **BUSINESS OF EXTERNAL ORGANISATIONS**

INFORMATION: There were no items raised.

81 **TIMETABLE OF COUNCIL MEETINGS**

DECISION: That the timetable of Council meetings for the 2007/08 Civic Year be approved as follows, all on Mondays starting at 7.15pm:-

Annual General Meeting – 21st May 2007
Ordinary Meetings - 18th June 2007
- 30th July 2007
- 17th September 2007
- 5th November 2007
- 17th December 2007
- 18th February 2008
- 14th April 2008

EXCLUSION OF PUBLIC AND PRESS

DECISION: 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 Part 1 of Schedule 12(A) of the Act.

(ITEMS IN PRIVATE SESSION)

82 **STATEMENTS BY MEMBERS (In Private Session)**

INFORMATION: There was nothing to report under this item.

83 **QUESTION TIME (In Private Session)**

INFORMATION: There was nothing to report under this item.

84 **POLICY RECOMMENDATIONS – PRIVATE SESSION**

INFORMATION: There was nothing to report under this item.

The meeting commenced at 7.15pm and closed at 10.30pm.

D M FINCH

(Chairman)

APPENDIX

COUNCIL

19th FEBRUARY 2007

Summary of Statement Made During Public Question Time

Statement by Mrs L Jones, 8 Stretford Court, Silver End, Witham, Essex CM8 3RT

I wish it known, that I make this statement, as the last chapter of a situation, that must now move on, and which I hope will lead people from all sides, to learn from, in order to ensure the successful future of Greenfield's being a true Community Gateway Association.

On the 9th February the Community Gateway Group, suspended its negotiations on behalf of tenants, as a protest that it was being undermined in various capacities. The protest was an attempt to get the Council and the Shadow board of Greenfield's to understand the enormity of the issues involved, which we felt could damage the opportunity of Greenfield's being a true Community Gateway Association in the future, if the situation continued. The decision was not taken lightly, and was voted for by each and every member of the CGG.

The protest was futile however, because instead of the council and shadow board, realising there were grave concerns that led the CGG to take this action, they made no attempt whatsoever, to find out, discuss, understand or resolve the issues, and it was decided at the shadow boards January meeting, to make alternative arrangements instead.

After a couple of attempts by myself to meet with the Chairman of the board, which were unsuccessful, the CGG decided to lift the suspension, and not leave tenants unrepresented any longer. The total time the CGG had been in suspension at this point was 9 working days.

At its 30th January Tenants Network meeting members voted overwhelmingly, to endorse the actions of the CGG (the networks subgroup) and called for the Shadow Board, to re-open negotiations with the CGG A.S.A.P.

The Shadow Board, refused to recognize the CGG's and Tenants Networks attempts to resolve issues, and at their meeting on 14th February, it was again decided, to wait for the new CGG to be formed. Subsequently the CGG remain suspended, no issues were resolved, and tenants were again left mainly unrepresented, despite there being between 6 and 8 weeks until the new elected CGG would be in a position to work on behalf of tenants.

To date the Community Gateway Group, has not been approached by any member of council staff, any member of the Board, or anybody whatsoever, to hear our concerns, instead decisions have been made, based on the boards own perspective of the situation. This is not only grossly undemocratic, but it totally contravenes a Community Gateway Associations principles.

Due to the CGG lifting its suspension, members made it known they were available and willing to participate in meetings, panels, and subgroups that had already been planned. These offers were denied, and the only representation at such meetings, has been one or two of the tenant board members, which the board are failing to recognize, are not legally allowed to represent tenants, as they have to represent Greenfield's and the board, therefore, the refusal to allow the CGG group to return to their work on behalf of tenants, has deliberately left tenants without proper representation, which is contrary to the offer document, and Community Gateway principles.

Response by Councillor G Butland, Leader of the Council

Councillor Butland stated that the Community Gateway Working Group had been set up to develop the offer document and the community gateway principle and that it had played an important role

Councillor Butland indicated that the opportunity now existed for people to be nominated as tenant Members of the Greenfields Community Housing Board and he stated that neither the District Council, nor Greenfields Community Housing would be changing their view that tenants should be involved in this process. Councillor Butland stated that he looked forward to working with whoever was appointed. Councillor Butland stated that he had written to Mr Flack, the Chairman of Greenfields Community Housing Shadow Board, to underline that the community gateway model was what the District Council wished to see in action.