

# COUNCIL

## AGENDA



**THIS MEETING IS OPEN TO THE PUBLIC**

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

**Date:** Monday 14<sup>th</sup> April 2008

**Time:** 7.15 pm

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

### Membership:

Councillor J E Abbott	Councillor M G Gage	Councillor J P O'Reilly-Cicconi
Councillor M J Banthorpe	Councillor Mrs M E Galione	Councillor Mrs R O'Shea
Councillor Miss L Barlow	Councillor J E B Gyford	Councillor Mrs J A Pell
Councillor J Baugh	Councillor N R H O Harley	Councillor R Ramage
Councillor Mrs J C Beavis	Councillor Mrs S A Howell	Councillor D M Reid
Councillor D L Bebb	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
Councillor Mrs B A Gage	Councillor Lady Newton (Chairman)	

### 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 551414 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.

## Councillor Keith Bigden

There will be a minute's silence in memory of Councillor Keith Bigden, Member for Hatfield Peverel Ward, who passed away on 2<sup>nd</sup> April 2008.

At the commencement of the meeting the Chairman will make the following presentations

(a) Chairman's Charities 2007-2008

To present cheques to her nominated charities for the current Civic Year – Young Carers, Coggeshall Prentice Youth Work Trust and Riding for the Disabled (Twinstead).

(b) Councillors with 25 years continuous service

To present certificates to three Councillors

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

### PUBLIC SESSION

1. **Apologies for Absence**
2. **To receive any announcements/statements from the Chairman.**
3. **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
4. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 18<sup>th</sup> February 2008 (Copy previously circulated)
5. **Question Time.** (See above paragraph).
6. **Annual Report of the Standards Committee for 2007/08.** To receive the attached report. (Page 1)
7. **Polling Places Review.** To consider the attached report. (Page 11)

## 8. **Democratic Renewal Task and Finish Group**

The report from the Democratic Renewal Task and Finish Group is the third arising from the work of the four Task and Finish groups appointed by Overview and Scrutiny Committee in 2007. *(Members are requested to bring to the meeting their copy of the report that has been sent separately)*

The report will be presented by Councillor J Gyford, Chairman of the Democratic Renewal Task and Finish Group

Following discussion at this meeting, the recommendations will be considered at the Cabinet meeting on 2<sup>nd</sup> June 2008

## 9. To consider the **Notice of Motion** as follows:-

'This Council:

- believes that tackling climate change must be central to the aims of local and central Government and that urgent action is needed to reduce carbon emissions;
- therefore welcomes the introduction of new environmental sustainability performance indicators for local authorities;
- welcomes also repeated statements by the Government that it will procure only buildings in the top quartile of energy performance, believing that this will create demand for low carbon buildings and will start to transform the wider commercial property market;
- notes that the public sector is responsible for 5% of the UK's carbon emissions and that sustainable public buildings can save at least £20 million per year through energy and water saving;
- notes with concern, however, that according to a recent report from the National Audit Office most Government departments are failing to meet their carbon reduction and energy efficiency targets;

and therefore resolves to:

- a) support the Public Sector Buildings (Energy Performance) Bill (introduced into Parliament with cross-party support on 5 December 2007), which would give legal force to the Government's commitment to procure only buildings in the top quartile of energy performance;
- b) write to
  - Phil Woolas MP, the relevant Government Minister, urging him to support the Bill as drafted;
  - local MPs urging them to sign EDM 673 in support of the Bill and to pledge to attend the House of Commons to support the Bill at its Second Reading debate on April 25.'

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 R G S Mitchell, seconded by Councillor R G Walters, and supported by Councillors R J Bolton, G Butland, M C M Lager and J McKee. 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.

10. **Policy Recommendations and References – Other Committees.**

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

- (a) Cabinet 31<sup>st</sup> March 2008 – Financial Report 1<sup>st</sup> April – 31<sup>st</sup> December 2007  
(Copy to follow)

11. **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.

- Councillor Dr R L Evans on post offices

*(Please note that the maximum time set aside for item 11 shall not exceed 30 minutes)*

12. **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 12 (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 18<sup>th</sup> February 2008. (Paper attached – Page 15)

13. 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

#### 14. **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 14 shall not exceed 30 minutes)*

#### 15. **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 15(ii) shall not exceed 30 minutes)*

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from those 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 18<sup>th</sup> February 2008 – *There are none.*

16. **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 15.

A J REID  
Chief Executive

**Health and Safety**

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

**Mobile Phones**

Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at <http://www.braintree.gov.uk/Braintree/councildemocracy>

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.....