

Minutes

Cabinet

6th February 2017



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available at www.braintree.gov.uk.

Present:

Portfolio	Cabinet Member	Present
Leader of the Council	Councillor G Butland	Yes
Deputy Leader of the Council	Councillor Mrs W Schmitt	Yes
Environment and Place	Councillor R Mitchell	Yes
Planning and Housing	Councillor Lady Newton	Yes
	Councillor Mrs L Bowers-Flint	Yes
Economic Development	Councillor T Cunningham	Yes
	Councillor B Rose	Apologies
Health and Communities	Councillor P Tattersley	Yes
Finance and Performance	Councillor D Bebb	Yes
Corporate Services and Asset Management	Councillor J McKee	Yes

Also present as invitees of the Leader:

Councillor Abbott, Green Party

Councillor Mann, Leader of the Labour Group

Councillor Mrs Pell, Leader of Halstead Residents Association

Apologies for absence were received from Councillor Siddall, Chairman of the Overview and Scrutiny Committee

Councillors Barlow, Mrs Garrod and Schwier were also in attendance.

60 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:

- Councillor T Cunningham declared a Non-Pecuniary Interest in Agenda Item 9a – ‘Council Budget and Council Tax 2017/18 and Medium-Term Financial Strategy 2017/18 to 2020/21’ as a non-financial Director of Ignite Business Enterprise.

In accordance with the Code of Conduct, Councillor Cunningham remained in the meeting for the Item and he took part in the debate and decision thereon.

61 **QUESTION TIME**

INFORMATION: There were no statements made, or questions asked.

62 **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 29th November 2016 be approved as a correct record and signed by the Chairman.

63 **LEADER'S UPDATE**

The Leader of the Council had nothing additional to report which was not covered elsewhere on the Agenda.

64 **NORTH ESSEX GARDEN COMMUNITIES PEER REVIEW**

INFORMATION: It was reported that in October 2016 the Leaders and Chief Executives of Braintree District, Colchester Borough, Tendring District and Essex County Councils had asked Lord Kerslake to lead a Peer Review into the local authorities' approach to delivering Garden Communities in North Essex.

The Review Team had reviewed a range of background documents provided by the Garden Communities Project Team and had visited the three proposed Garden Community locations. The Review Team had met with the lead Directors of the four Councils who had explained the background to and the reasoning behind the approach the Councils were taking towards the proposals. The Review Team had subsequently spoken with the Councils' planning teams, key advisors, landowners, developers and officials at the Department for Communities and Local Government to clarify and explore specific areas of interest in more depth. The Review Team had also taken account of evidence submitted by local groups, including CAUSE (Campaign Against Urban Sprawl in Essex).

The Review Team had presented its findings to the Leaders and Chief Executives of the four Councils in early December 2016 and the report of the Peer Review had been published in late January 2017. The Partnership of the four Councils had produced a response to the Peer Review report and its recommendations. Each of these documents was available to view on the Council's website. An Action Plan was also being developed by the Garden Communities Project Team. . Following further consideration of the final Peer Review report and the Action Plan, the Partnership would be preparing an Annual Plan setting out key deliverables and milestone dates.

DECISION:

- (1) That the North Essex Garden Communities Peer Review Report as published on the [Council's website](#) be noted.
- (2) That the North Essex Garden Communities' Partnership's public response to the Peer Review Report, as published on the [Council's website](#) be noted.

REASON FOR DECISION: Cabinet has previously supported the consideration of Garden Communities across North Essex. The purpose of this report is to brief Cabinet on the outcome of the Lord Kerslake led Peer Review, to note the

Partnership's public response and the next steps in responding to the recommendations of the Review.

65 **PRESENTATION BY FUSION**

The Cabinet received a presentation by Alex Green, Contract Manager and Claire Popperwell, Sports and Community Development Manager, on behalf of Fusion, the providers of the Council's leisure contract.

The presentation slides may be viewed at:

<http://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/543/Committee/3/Default.aspx>

66 **MAIN POOL CLOSURE AT BRAINTREE SWIM AND FITNESS CENTRE AND ACTIONS TAKEN TO MINIMISE CUSTOMER IMPACT**

INFORMATION: Members of the Cabinet were advised that over the last two years tiles had been de-bonding from the 'main' pool at Braintree Swim and Fitness Centre. The 'learner' and 'teaching' pools had not been affected. On-going repairs had been carried out underwater and approximately 30% of the pool tiles had been replaced. It had not been necessary to close the pool and there had been minimal disruption to the users of the pool. However, this patch repair process did not provide a long-term solution and consideration had been given to options for relining the pool. Following a competitive tendering exercise, SA Pool Systems Ltd had been selected to undertake the repair of the pool using a two coat epoxy resin system. The work, which would require the closure of the main pool, would be carried out over a nine week period from 27th February 2017 to 30th April 2017.

A key aspect of the repair work would be to segregate the main pool from the learner and teaching pools to enable these smaller pools to remain operational for teaching lessons and junior school use. The gym and studio would also remain open whilst the works were undertaken. The work would bring some disruption to clubs and swimmers and arrangements had been made to accommodate these users within other pool programmes at Halstead and Witham Leisure Centres. Fusion, the operator of the Braintree Centre, had prepared a comprehensive communications plan which identified all service users and set out the individual arrangements and/or compensation that had been arranged.

DECISION: That the report be noted.

REASON FOR DECISION: To inform and update Members on the imminent closure of the main pool at Braintree Swim and Fitness Centre for essential maintenance work and the action taken to mitigate disruption to users of the facility.

67 **A120 IMPROVEMENT PROJECT AND A12 WIDENING PROJECT - CONSULTATION**

INFORMATION: Consideration was given to a report on the consultation arrangements for the A120 improvement project and A12 widening project.

The A120 between Braintree and the A12 was a route of significant importance to the Braintree District. It was currently subject to serious congestion, which was likely to increase, given expected growth in population, housing and employment.

Essex County Council (ECC) was leading a feasibility study into potential options for improving the route. A shortlist of five routes was currently subject to public consultation which commenced on 17th January 2017 and closed on 14th March 2017. The objective of the consultation was to reach a consensus on a preferred route option for submission to the Secretary of State for Transport. If the process was successful, the aim was to include the improvement scheme in the Government's Road Improvement Strategy 2020-2025 (RIS2).

A public consultation was being undertaken concurrently to consider four options to widen the A12 between Chelmsford and Marks Tey. The consultation, led by Highways England, had commenced on 23rd January 2017 and closed on 3rd March 2017. This project had already been included within the current Road Investment Strategy 2015-2020 (RIS1).

The potential improvements to both the A120 and A12 would provide tangible benefits for road users, businesses and communities within the Braintree District and it would assist the housing and economic growth required by the emerging Local Plan. Therefore, Braintree District Council was a key stakeholder in the consultation process. It was also important that individual elected Members of Braintree District Council, Town/Parish Councils, businesses, community groups and the public should attend the public exhibitions which had been arranged and to submit responses to Essex County Council and Highways England.

The shortlisted route options for both the A120 and A12 were being analysed by the Council's Planning Policy Team to ensure that the Council's formal consultation responses and support for specific route options fully reflected any impact on the Local Plan.

Following the analysis of the route options and their potential impact on the Local Plan, it was proposed that Councillor Lady Newton, Cabinet Member for Planning and Housing, in consultation with the Leader of the Council and the Corporate Director for Economic Growth, should submit the Council's responses to the A120 and A12 consultation and report back to Cabinet on 13th March 2017.

DECISION: That the consultation periods for the new A120 and A12 route options be noted, and the approach to the submission of formal written responses containing Braintree District Council's support for the A120 improvement project and the A12 widening project, be supported.

REASON FOR DECISION: To enable the submission of a formal written response to the A120 improvement project and A12 widening project consultations within required timescales.

68

CABINET RESPONSE TO THE RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE REVIEW INTO BROADBAND PROVISION IN THE BRAINTREE DISTRICT

INFORMATION: Members were reminded that the Overview and Scrutiny Committee had carried out a review between July and November 2016 into the provision of Broadband within the Braintree District. The Committee's recommendations had been presented to Full Council on 12th December 2016 and, in line with the corporate

process, the Council had requested the Cabinet to respond to the Committee's recommendations.

The Cabinet Member for Economic Development had considered the Committee's recommendations and had provided a response to each of them. These were set out in the Agenda report. Members of the Cabinet were requested to consider the responses and to request Officers to take forward the recommendations.

DECISION: That the response put forward by the Cabinet Member for Economic Development to the Overview and Scrutiny Committee's recommendations be approved and the Corporate Director and/or relevant Heads of Service be authorised to take forward any action required.

REASON FOR DECISION: To consider and respond to the recommendations made by the Overview and Scrutiny Committee to Full Council.

69 **COUNCIL BUDGET AND COUNCIL TAX 2017/18 AND MEDIUM-TERM FINANCIAL STRATEGY 2017/18 TO 2020/21**

INFORMATION: Consideration was given to a report on the Council's proposed budget and Council Tax 2017/18 and the Medium Term Financial Strategy 2017/18 to 2020/21.

In discussing this item, it was reported that no representations had been received following consultation with local businesses regarding the Council's proposed budget,

DECISION: That it be **Recommended to Council** that the following be approved:

1. The budget variations to the current base budget as detailed in Section 3 of the main report;
2. The additional income and cost reductions as detailed in Section 5 of the main report;
3. The unavoidable revenue budget demands (£169,680) and new investments of £443,820, of which £252,000 to be funded from New Homes Bonus and capital resources; £150,000 from balances and £41,820 from revenue, as detailed in Section 4 of the main report;
4. That £39,652 of the administration subsidy for Universal Credit support be held in an earmarked reserve, to be utilised in respect of the next phase of the roll-out of Universal Credit and authorised by the Cabinet Member for Planning and Housing;
5. The package of support to claimants experiencing difficulties through changes in the Local Council Tax Support scheme as detailed in Section 10.7 of the main report;
6. The Council's discretionary fees and charges for 2017/18 as detailed in Appendix A to the main report;

7. Delegated authority is given to the appropriate Cabinet Member to determine the level of Trade Waste charges, Planning pre-application fees, Land Charges, sponsorship charges, Town Hall lettings, and Environmental permits for 2017/18;
8. The Council's housing rents are reduced by 1% for 2017/18, as detailed in Appendix A to the main report;
9. The surplus of £432,142 on the Business Rates Collection Fund be transferred to the Business Rates Retention Reserve;
10. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes;
11. To extend the Council's policy for Discretionary Business Rate Relief (under section 47 of the Local Government Act 1988) to include two schemes as recommended by the Government:
 - Local Newspapers - £1,500 discount for office space occupied by local newspapers for 2 years from 1st April 2017; and
 - Rural Rate Relief – 50% discretionary relief, in addition to the current 50% mandatory relief, to eligible businesses from 1st April 2017.
12. Discretionary council tax discounts and exemptions for 2017/18 are:
 - Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
 - Discount applicable to vacant dwellings is set at 0% for the six month period;
 - Discount applicable to second homes is set at 0%;
 - Empty Homes Premium charged on dwellings vacant for over two-years be set at 50%;
13. The Council's Pay Policy for 2017/18 as detailed in Appendix F to the main report;
14. A transfer of £179,125 to the General Fund unallocated balance in 2017/18;
15. Transfers between earmarked reserves and back to the unallocated balance in 2016/17 and estimated drawdown from earmarked reserves for 2017/18 as detailed in Appendix G to the main report;

Capital

16. The General Fund Capital bids for 2017/18 listed in Appendix H to the main report;

Treasury Management

17. The Prudential Indicators and limits set out in Appendix J to the main report;
18. The Policy on Minimum Revenue Provision as recommended in Appendix J to the main report;

19. The Treasury Management Strategy, including annual investment strategy, for 2017/18 (Appendix J to the main report);

Council Tax

20. The proposed estimates (producing a budget requirement for council tax purposes of £14,388,817) as detailed in Appendix D and the Council Tax for 2017/18 of £169.47 for a Band D property, having taking into consideration:
- The consultation feedback, if any, received and reported verbally at the meeting;
 - The assessment of risks in the budget assumptions;
 - The Equalities Impact Assessments and
 - The Section 151 Officer's report on the robustness of the estimates and the adequacy of balances (Appendix L to the main report).

REASON FOR DECISION: To determine the budget and Council Tax level proposals for 2017/18 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

70 CABINET MEMBER DECISIONS MADE UNDER DELEGATED POWERS

DECISION: That the delegated decisions set out in the report be noted.

REASON FOR DECISION: The reasons for each decision can be found in the individual delegated decisions.

71 MINUTES FROM CABINET SUB-GROUPS - LOCAL PLAN SUB-COMMITTEE – 15TH DECEMBER 2016

DECISION: That the Minutes of the meeting of the Local Plan Sub-Committee held on 15th December 2016 be noted.

The meeting commenced at 7.15pm and closed at 8.28pm.

COUNCILLOR G BUTLAND
(Leader of the Council)