

# Minutes

## Cabinet

### 11<sup>th</sup> February 2019



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](http://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 van Dulken	Yes
Planning and Housing	Councillor Mrs L Bowers-Flint	Yes
	Councillor Mrs G Spray	Apologies
Economic Development	Councillor T Cunningham	Yes
	Councillor K Bowers	Yes
Health and Communities	Councillor P Tattersley	Yes
	Councillor F Ricci	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 Barlow, Chairman of the Overview and Scrutiny Committee  
Councillor Mann, Representative of the Labour Group

Councillors Johnson and Schwier were also in attendance.

#### 50 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

- Councillor J McKee declared a Non-Pecuniary Interest in Agenda Item 6a – ‘Tourism Plan 2019-2021’ as a Trustee of the Braintree District Museum Trust.

#### 51 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Cabinet held on 26<sup>th</sup> November 2018 be approved as a correct record and signed by the Chairman.

52 **QUESTION TIME**

**INFORMATION:** There was one statement made from a representative of the Halstead 21<sup>st</sup> Century Group in relation to Agenda Item No. 6a – Tourism Plan 2019-2021.

53 **TOURISM PLAN 2019-2021**

**INFORMATION:** Members were advised that in response to the Task and Finish Group's Scrutiny Review into the Tourism Potential in the Braintree District Cabinet agreed that the Council should establish a tourism strategy to help to guide the Council's tourism activities to support tourism businesses and the industry in the District. In accordance with the Cabinet's response to the Scrutiny Review, the Economic Development Team had developed a Tourism Plan for the District which was presented to Cabinet for approval.

The Tourism Plan for the Braintree District had been created after consulting and considering a number of resources which included; economic impact data, tourism operators, stakeholders and Town Councils. The aim of the Plan was to focus the tourism efforts of the Council, its partners and associated businesses on actions which were likely to have the most benefit for the visitor economy of the Braintree District. A positive perception, both internally and externally, of the area was more likely to attract investors, visitors and thus growth to the District.

Members were advised that funding for the Tourism Plan's delivery would be provided by the Council from existing budgets, however, opportunities would be explored to maximise resources through sponsorship and external funding opportunities.

**DECISION:** That Cabinet approved the Tourism Plan 2019-2021 for the Braintree District.

**REASON FOR DECISION:** To put in place a Tourism Plan for the Braintree District for the period of 2019-21.

54 **COUNCIL BUDGET AND COUNCIL TAX 2018-19 AND MEDIUM-TERM FINANCIAL STRATEGY 2019-20 TO 2022-23**

**INFORMATION:** Councillor Bebb, Cabinet Member for Finance and Performance, introduced the report to Members and underlined the following information.

Members were advised that Government had confirmed that no change would be made to the New Homes Bonus scheme for 2019/20. The Council would receive £224,712 for Year 9 of the scheme which would provide a total amount receivable in 2019/20 of £1,250,191.

Following comments from Members during the consultation on the initial budget proposals, Cabinet agreed to revisit the proposed cessation of the Councillor Community Grant scheme. The outcome of the review was a proposal to continue with the current scheme for a further period of two years, at a cost of £73,500 per annum, and that this was funded from earmarked reserves, nominally the Council's share of the CHIP Fund.

The Council had identified three sources of additional income, these included:

- Disabled Facilities Grants – proposed increase in the amount taken from the funding received from the Better Care Fund to meet the costs of running the scheme of £78,000. The amount represented 9% of the current Better Care Fund grant of £863,000;
- Increase of monies invested in pooled funds from £16million to 18million. Following consultation with Arlingclose, Treasury Management advisors, the Cabinet Member for Finance and Performance agreed that £2million be invested in two multi asset pooled funds, which was actioned in late December. Estimated additional net income of £65,000 in 2019/20;
- Expand the use of Planning Performance Agreements which would generate an estimated £75,000 of additional income in 2019/20. This was agreed at Full Council on 10th December 2018 as part of the request for early approval to increase capacity in the Development Management team.

The Council's Business Rates Tax base for 2019/20 was calculated as at 21<sup>st</sup> December 2018 and agreed by the Corporate Director under delegated authority. The net collectable amount, after mandatory and discretionary reliefs, allowances for losses on collection and rating appeals, was £42,782,307.

It was proposed that a number of Discretionary Business Rate relief schemes agreed previously by Cabinet continue as requested by the Government, these included; Supporting Small Businesses; Discretionary Business Rates Scheme; Rural Rate Relief; and Relief to local newspapers. In addition to these schemes it was proposed that the Council uses its discretionary discount powers to implement a new Retail Relief, announced in the Autumn Budget 2018. Under this relief scheme eligible retailers with a rateable value below £51,000 would receive a one third discount on their business rates bills.

With regards to the Local Council Tax Support scheme and the Exceptional Hardship Fund it was recommended that both of these services would be retained for 2019/20.

The Council's tax base for 2019/20, calculated as at 30th November 2018, was £52,521. This compares to a tax base of 51,980 for 2018/19; an increase of 541 or 1.04%. The Council has exercised its discretionary powers to set the discounts/premia for empty properties and second homes. The current level of premia charged on properties which have been unoccupied and substantially unfurnished for two years or more is currently set at 50%. It was proposed to revise the Council's scheme on long term empty properties to incorporate the new maximum levels with implementation over 3 years commencing on 1st April 2019 as detailed in the Act, however, it was also proposed to refund the 12 months' additional premium (ie above 50%) prior to when the property is brought back into use and is occupied.

It was estimated that the balance on the Council Tax Collection Fund available for distribution was a surplus of £888,833, of which the amount due to the Council was £113,625. It had been agreed that £21,040 of the Council's share of the surplus would be paid to Town and Parish Councils in 2019/20.

In respect of the financial profile the budget proposals in an addition to the unallocated balance of £127,947 in 2019/20. Shortfalls were projected for the following three years of £539,351, £7,285 and £162,760, respectively. The shortfalls for 2020/21 onwards had been determined under the current local government funding arrangements

however these were likely to be subject to significant change pending the outcome of the Fair Funding Review and the Government's decision regarding the proposed new 75% Business Rates Retention scheme both of which were due to be implemented from 1st April 2020.

**DECISION:** That **Cabinet recommended to Council to approve:**

1. The budget variations to the current base budget as detailed in Section 4 of the main report;
2. The additional income and cost reductions as detailed in Section 6 of the main report;
3. The unavoidable revenue budget demands and new investments added to the Base Budget of £847,370 as detailed in Section 5.2 of the main report;
4. The unavoidable revenue budget demands and new investments required to meet one-off or time-limited expenditure of £1,266,540 as detailed in Section 5.3 of the main report and to be funded as detailed in section 5.4 of the main report;
5. The Braintree District Council's Local Council Tax Support scheme for 2019/20 as detailed on the Council's website: Proposed Local Council Tax Support Scheme 2019/20;
6. The package of support to claimants experiencing difficulties as a result of the Local Council Tax Support scheme as detailed in Section 11.9 of the main report;
7. The Council's discretionary fees and charges for 2019/20 as detailed in the schedule on the Council's website: Proposed Fees and Charges 2019/20
8. Delegated authority is given to the appropriate Cabinet Member to determine the level of charges for Trade Waste collection, Environmental permits and core leisure charges for 2019/20;
9. The Council's housing rents are reduced by 1% for 2019/20, as detailed in the schedule on the Council's website: Proposed Fees and Charges 2019/20;
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. The surplus of £57,034 on the Business Rates Collection Fund be transferred to the Business Rates Retention Reserve;
12. To continue the Council's Discretionary Business Rate Relief schemes, as detailed in section 9 to the main report, for 2019/20;
13. To extend the Council's policy for Discretionary Business Rate Relief (under section 47 of the Local Government Act 1988) to introduce a Retail Relief Scheme for 2019/20 and 2020/21 as recommended and funded by the Government (scheme criteria as detailed at Appendix B to the main report);

14. Discretionary council tax discounts and exemptions for 2019/20 are:
- a) Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
  - b) Discount applicable to vacant dwellings is set at 0% for the six month period;
  - c) Discount applicable to second homes is set at 0%;
15. Discretionary Council Tax Empty Homes Premium charged on dwellings vacant for over two-years be increased to 100% with effect from 1st April 2019, with further changes to the premia in future years as detailed in section 13.6 of the main report. In addition a refund arrangement, as detailed in section 13.9 of the main report;
16. The Council's Pay Policy for 2019/20 as detailed in Appendix C to the main report;
17. A transfer of £127,947 to the General Fund unallocated balance in 2019/20;

### Capital

18. The General Fund Capital bids for 2019/20 listed in Appendix I to the main report;

### Capital, Investment and Treasury Management Strategies

19. The Capital Strategy including the authorised borrowing limit, operational borrowing boundary limit and prudential indicators as detailed in Appendix J to the main report;
20. The Treasury Management Strategy Statement including the schedule of investment counterparties and limits and prudential indicators as detailed in Appendix K to the main report;
21. Investment Strategy, for 2019/20 as detailed in Appendices L to the main report;
22. The Policy on Minimum Revenue Provision as recommended in Appendix M to the main report;

### Council Tax

23. The proposed estimates (producing a budget requirement for council tax purposes of £14,539,761) as detailed in Appendix D and the Council Tax for 2019/20 of £179.73 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 H to the main report).

### **That Cabinet agreed:**

24. Delegate authority to the Cabinet Member for Finance and Performance to agree requests for unspent budgets, at the year-end, to be carried forward to the following year.

**REASON FOR DECISION:** To determine the budget and council tax level proposals for 2019/20 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

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**\*\*HORIZON 120 BUSINESS PARK – INVESTMENT IN INFRASTRUCTURE**

Minutes Published: 18 <sup>th</sup> February 2019 Call-in Expires: 26 <sup>th</sup> February 2019
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**INFORMATION:** Members were reminded that this Item was linked to Item 9a in the Private Session of the Agenda, and that if any Member wished to refer to the private information contained within the report for that Item, it would be necessary for the meeting to be moved into Private Session.

**DECISION:** That, under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting if it is necessary to discuss Item 9a of the Agenda and the Private Report, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

Both Agenda Items were taken together to enable consideration of all issues. It was not necessary for the debate to be moved into Private Session.

**INFORMATION:** The Council had been working with a previous owner to purchase and complete 63 acres of employment land adjacent to Great Notley. This employment land had been allocated in previous core strategies and was included in the emerging Local Plan. The land had not been developed and in order to provide much needed grow on space for local businesses and to attract much needed investment, the Council was prepared to acquire and develop the land.

In December 2018 completion of the land was achieved and the Council now sought Members approval in order to move the development forward.

The report addressed how this vision could be secured and delivered, with minimal delay in the current uncertain commercial environment. Members were advised of the key points and these included:

- The marketing strategy would prioritise companies and sectors which would offer the optimum number of high calibre career paths and training opportunities for local residents;
- A new masterplan would be developed, respecting the previously agreed principles and identifying zones for compatible development. One objective was to ensure that logistics and distribution companies did not dominate or disrupt the business environment;
- The “Hub”, and sense of place, would be delivered in the early phases of development;
- Investment, to deliver services and infrastructure, in phases, to facilitate the release of up to 20 acres (8.1 hectares) of serviced land, including provision for marketing costs, planning financial contribution, inflation and finance costs;
- Sales, of serviced land;
- Leases, of serviced land or buildings, at an equivalent Net Present Value (NPV);

- A schedule of delegation to facilitate effective decision-making within a commercial timescale;
- A reporting and review mechanism.

Members were advised that the Council were not only investing to boost the local economy to attract inward investment, but were very mindful that the investment on the site would need to generate significant revenue returns to fund essential services going forward.

**DECISION (PUBLIC REPORT): That Cabinet approved:**

1. The Corporate Director (Sustainable Development), in consultation with the Cabinet Member for Corporate Services and Asset Management and the Corporate Director (Finance) to authorise the disposal of land and the entering into contracts for the provision of utilities, services and as relevant the adoption of highways or other infrastructure, and to enter into legal agreements for the design and construction of infrastructure and site facilities;
2. The Cabinet Member for Asset Management in consultation with the Cabinet Member for Economic Development and the Corporate Director (Sustainable Development) to approve the disposal of up to 1 acre of land either in whole or part in accordance with the scheme of development for the delivery of place shaping facilities including Hotel, Gym, Restaurant / Café, or Nursery / Child Care facilities on the best available commercial terms;
3. The Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Economic Development, the Cabinet Member for Asset Management, the Cabinet Member for Finance and Performance and the Corporate Director (Finance) to approve the disposal of land in accordance with the development principles set out in the report where the premium for a long lease disposal is in excess of the threshold value per serviced acre and/or leases at an equivalent or better Net Present Value.
4. The Cabinet Member for Asset Management in consultation with the Cabinet Member for Economic Development, the Cabinet Member for Finance and Performance, the Corporate Director (Sustainable Development) and the Corporate Director (Finance) to approve the disposal of land in accordance with the development principles set out in the report where the premium for a long lease disposal is in excess of the threshold value per serviced acre and/or leases at an equivalent or better Net Present Value.
5. The delegations in recommendations 1 to 4 above shall expire on the third anniversary of the approval unless extended by the Cabinet. For the avoidance of doubt any approval given during the duration of the authority can be implemented notwithstanding the passing of this time limit.

**That Cabinet recommended to Council that:**

1. A budget, be approved to deliver services and infrastructure, in two or more phases, to facilitate the release of up to 20 acres (8.1 hectares), of serviced land, for sale and/or development.

2. That Council notes that funding of the project costs (including those costs previously approved for land acquisition) is to be from prudential borrowing, repayable from the capital receipts generated from serviced land sales and/ or the income from commercial lease arrangements. The level of prudential borrowing required will be subject to the Corporate Director (Finance) reviewing the overall financing of the Council's medium-term capital programme taking into account all the Council's capital resources over the period of the proposed development.

**REASON FOR DECISION:** To enable the Council to:

- Design and construct the infrastructure required to make an initial 20 acres (8.1 hectares) available for sale and/or development;
- Agree sales or leases, of serviced land, on agreed terms, within commercial timescales;
- Generate a return on its initial investment, in acquiring the site.

**DECISION (PRIVATE REPORT): That Cabinet approved:**

1. The Corporate Director (Sustainable Development), in consultation with the Cabinet Member for Corporate Services and Asset Management and the Corporate Director (Finance) to authorise the disposal of land and the entering into contracts for the provision of utilities, services and as relevant the adoption of highways or other infrastructure, and to enter into legal agreements for the design and construction of infrastructure and site facilities;
2. The Cabinet Member for Asset Management in consultation with the Cabinet Member for Economic Development and the Corporate Director (Sustainable Development) to approve the disposal of up to 1 acre of land either in whole or part in accordance with the scheme of development for the delivery of place shaping facilities including Hotel, Gym, Restaurant / Café, or Nursery / Child Care facilities on the best available commercial terms;
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56 **CABINET MEMBER DECISIONS MADE UNDER DELEGATED POWERS**

**DECISION:** That the delegated decision set out in the report be noted

**PURPOSE OF DECISION:** The reasons for the decision can be found in the individual delegated decision.

The meeting commenced at 7.15pm and closed at 8:06pm.

COUNCILLOR G BUTLAND  
(Leader of the Council)