

Minutes

Cabinet

13th March 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	From 7.23pm
Planning and Housing	Councillor Lady Newton	Yes
	Councillor Mrs L Bowers-Flint	Yes
Economic Development	Councillor T Cunningham	Yes
	Councillor B Rose	Yes
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

Councillor Siddall, Chairman of the Overview and Scrutiny Committee was absent.

Councillors Barlow, Bowers and Canning were also in attendance.

72 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:

- Councillor Butland declared a Non-Pecuniary Interest in Agenda Item 6b – ‘Discretionary Business Rate Relief Scheme for Charities, Community Amateur Sports Clubs and Not-for-Profit Organisations’ as CEO of a Charity with a shop in the District.
- Councillor McKee declared a Non-Pecuniary Interest in Agenda Item 6b – ‘Discretionary Business Rate Relief Scheme for Charities, Community Amateur Sports Clubs and Not-for-Profit Organisations’ as Chairman of Trustees of the Braintree District Museum Trust.

- Councillor T Cunningham declared a Non-Pecuniary Interest in Agenda Item 6a – ‘Third Quarter Performance Management Report 2016-17’ and Agenda Item 6b – ‘Discretionary Business Rate Relief Scheme for Charities, Community Amateur Sports Clubs and Not-for-Profit Organisations’ as a Non-Financial Director of Ignite Business Enterprise.

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

73 **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 6th February 2017 be approved as a correct record and signed by the Chairman.

74 **QUESTION TIME**

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

75 **LEADER’S UPDATE**

The Leader advised Members that he had produced a detailed update that would be published as part of the Council Agenda for the meeting to be held on 27th March 2017.

76 **ANNUAL PLAN 2017 - 18**

INFORMATION: Members were reminded that the report of the Annual Plan follows on from the budget which was set in February 2017. The Annual Plan set out the Council’s priorities and performance targets for 2017/18. These actions and targets will support the delivery of the Corporate Strategy for 2016 – 2020, which was agreed in February 2016.

Councillor Lady Newton, Cabinet Member for Planning and Housing, made reference to an error in the report under Strategic Growth and Infrastructure in respect of the number of planning consents granted. The report made reference to 12,000 dwellings and it was recognised that this figure did not correspond with that recorded in the Third Quarter Performance Report where the outturn figure was at just over 13,000 and it was noted that this figure was the most up to date.

In response to questions asked by Members in respect of Planning Policy and delivery of housing, Members were informed that the Housing White Paper that was currently out for consultation covered many areas in which Members had raised concern, including the housing delivery test. It was agreed to review the Key Performance Indicators for Planning and Housing following further details that would emerge following the Housing White Paper and adjust the Annual Plan target accordingly later in the year.

Members were reminded also that progress made against the actions and targets would be reported to Cabinet quarterly.

DECISION: That Cabinet approved the Annual Plan 2017/18, subject to the correction of the number of planning consents granted.

REASON FOR DECISION: To agree the Council's key priorities and actions for 2017/18

77 **THIRD QUARTER PERFORMANCE MANAGEMENT REPORT 2016-17**

INFORMATION: Members received a summary on the performance of the Council.

In terms of financial performance it was reported that there was an overall positive forecast variance of £487,000 against the budget of £13.107million. The income was forecast to be overachieved by £273,000; and there was a projected net underspend of £214,000 on staffing and other expenditure.

In the third quarter, a total of nine projects were now complete and a further 36 projects were progressing well. One project had an amber status as the service was not performing as expected. In respect of performance indicators twelve had achieved or exceed target, one had missed target by less than 5% and five had missed target by more than 5%. The performance indicators that had missed target by more than 5% were in relation to tonnage of residual waste, business start-ups and jobs created through business advice and support, number of visitors to leisure centres and passenger journeys through the community transport scheme. It was however reported that the tonnage of residual waste had continued to see a reduction throughout the year and was on track to meeting target. Actions were being taken to improve performance and underperformance was being monitored closely.

In terms of good performance the following was reported, the average caller answering time of 9 seconds for calls to the Customer Service Centre had exceeded target; 188 fly tips in the District had been collected within 24 hours of being reported; works at the site purchased at Braintree College for the relocation of St Lawrence Doctors Surgery had been completed and was currently pending opening.

DECISION: That Cabinet noted and endorsed the report.

REASON FOR DECISION: To inform the Cabinet of the performance of the Council.

78 **DISCRETIONARY BUSINESS RATE RELIEF SCHEME FOR CHARITIES, COMMUNITY AMATEUR SPORTS CLUBS AND NOT-FOR-PROFIT ORGANISATIONS**

INFORMATION: Members were provided with details on the proposed new discretionary rate relief scheme following a review of the existing scheme which had been in operation since April 2009

Members were advised that Local Authorities had discretionary powers to grant discretionary business rate relief up to a maximum of 20% to either registered Charities or Community Amateur Sports Clubs (in addition to the mandatory 80% relief they receive) and up to a maximum of 100% where all or part of the property was occupied by an institution or organisation which was not established or conducted for profit.

It was reported that there was currently around 325 organisations that were in receipt of mandatory or discretionary relief with a combined total value of £2.97 million.

Schemes operated by a number of other local authorities had been researched and a variety of approaches had been identified and the Council had favoured an objective criteria point based scheme. The proposed scheme would assess new applications against criteria that focused on three areas; Equalities; Activities and Facilities and Financial Management along with a series of questions that supported these. Based on the responses, a score would be determined and the amount of discretionary relief awarded would be dependent on the total score achieved.

Following consultation with the current recipients of discretionary rate relief and stakeholders the Council had considered comments received on the initial proposed scheme and the decision was taken to amend the scheme accordingly. As a consequence of these changes the scoring matrix had been amended.

The impact on all current recipients who had completed a new application form was as follows: 77 receive the same level of award, 12 receive an increased award and 7 receive a reduced award. The net change in the value of awards for the 96 organisations was an increase of £322 for a full year, of which £129 (40%) would be the cost to the Council.

It was recognised that there was no reference in the report to the requirement that all Charities should be up to date with their statutory returns to the Charity Commission. It was agreed to include in the policy that in order for a Charity to be eligible to apply they would need to submit confirmation of their annual reports to the Charity Commission.

DECISION: That Cabinet agreed the proposed new discretionary rate relief scheme, as detailed in Appendix B of the report, and implemented it from 1st October 2017, subject to an additional requirement for charities to provide evidence that they have complied with their annual submissions to the Charity Commission.

REASON FOR DECISION: To agree a new discretionary rate relief scheme following a review of the existing scheme which has been in operation since April 2009.

79 **CONSULTATIONS ON THE PROPOSED IMPROVEMENTS TO THE A120 AND A12 WIDENING PROJECT**

INFORMATION: Members were asked to note the responses to the consultations in respect of the A120 and A12 Improvement Projects. On 6th February 2017, Cabinet agreed to the submission of formal written consultation responses containing the Council's support for the A120 improvement project and the A12 widening project. The public consultation for the widening of the A12 between Chelmsford and Marks Tey closed on 3rd March 2017 with the public consultation for the A120 project closing on 14th March 2017. The Council supported in principle both schemes and an internal working group had undertaken a detailed analysis of the route options and their potential impact on the Local Plan.

It was suggested that this item would be dealt with in two parts. The first matter to be considered would be the A12 Widening Project Consultation. The second matter was the Consultations A120 Improvement Project Consultation.

Details on the questions asked by Members can be viewed on the Council's website at the following link: <http://www.braintree.public-i.tv/core/>

Members were advised that in respect of the new A120 the Council had not explicitly committed to supporting a single preferred route; however it was recognised that the Council's response had clearly requested that Option A be discounted.

DECISION: That Cabinet noted the consultation response.

REASON FOR DECISION: To inform the Cabinet of the formal written responses to the A120 improvement project and A12 widening project consultations.

80 **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.

81 **MINUTES FROM CABINET SUB-GROUPS - LOCAL PLAN SUB-COMMITTEE – 15TH FEBRUARY 2017**

DECISION: That the Minutes of the meeting of the Local Plan Sub-Committee held on 15th February 2017 be noted.

The meeting commenced at 7.15pm and closed at 8.12pm.

COUNCILLOR G BUTLAND
(Leader of the Council)