

Minutes

Cabinet



29th March 2010

Present:

Cabinet Members	Portfolio	Present
Councillor G Butland	Leader	Yes
Councillor N R H O Harley	Deputy Leader and Cabinet Member for Enterprise & Culture	Yes
Councillor Mrs J C Beavis	Customers & Communication	Yes
Councillor M C M Lager	Efficiency & Resources	Yes
Councillor Lady Newton	Housing & Well-Being	Yes
Councillor Mrs J W Schmitt	Communities	Yes
Councillor R G Walters	Environment and Sustainability	Yes

Deputy Cabinet Members	Portfolio	Present
Councillor D L Bebb	Customers & Communication	Yes
Councillor Mrs E Edey	Communities	Apologies
Councillor N McCrea	Enterprise & Culture	Apologies
Councillor J McKee	Efficiency & Resources	Apologies
Councillor R G S Mitchell	Environment & Sustainability	Apologies
Councillor Mrs C Sandbrook	Efficiency & Resources	Apologies
Councillor C Siddall	Leader's Portfolio	Yes
Councillor Mrs G Spray	Housing & Well-Being	Yes
Councillor T Wilkinson	Enterprise & Culture	Yes

The following Councillors were also present as invitees of the Leader

Councillor J E Abbott, Leader of the Green Party, Councillor R J Bolton, Chairman of Halstead Local Committee, Councillor M G Gage, Chairman of the Overview and Scrutiny Committee/Leader of Halstead Residents' Association, and Councillor E R Lynch, Deputy Leader of the Labour Group.

Apologies for absence were received from Councillor Dr R L Evans, Leader of the Labour Group, Councillor T J W Foster, Chairman of Witham Local Committee, and Councillor S M Walsh, Chairman of Braintree Local Committee.

Councillors G Cohen, D Mann, R Ramage, A F Shelton and Mrs J A Smith were also in attendance.

The Leader of the Council welcomed everyone to the meeting and advised that Councillor Mrs Edey and Councillor Dr Evans are both making good progress following their recent health issues.

122 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

- Councillor M C M Lager declared a personal interest in
 - (i) Item 7a - Improvements to Witham Town Park as a Witham Town Councillor and Chairman of Witham Park Management Advisory Group
 - (ii) Item 9a – Asset Management Plan 2010/11 as a Witham Town Councillor.
 - (iii) Item 11b – Reference from the Performance, Innovation and Efficiency Programme Board as he is a member of the East of England Regional Improvement and Efficiency Panel (RIEP).
- Councillor E R Lynch declared a personal interest as a Governor of a local primary school in Item 8a – Essex Children and Young People's Plan.

In accordance with the Code of Conduct all Members remained in the meeting for all the items, unless stated otherwise, and took part in the debate and decision thereon.

123 **QUESTION TIME**

INFORMATION: There was no questions asked or statements made.

124 **MINUTES**

DECISION: That the minutes of the meeting of the Cabinet held on 1st February 2010 be approved as a correct record and signed by the Leader.

125 **ESSEX CHILDREN AND YOUNG PEOPLE'S PLAN**

Cabinet received a presentation by Philippa Bull, Head of Locality Commissioning at Essex County Council, on the Essex Children and Young People's Plan 2009-2011(CYPP) and Mid Essex Children's Trust structure. The CYPP is a partnership plan that lays out the shared ambitions for children and young people of Essex, and the Children's Trust is the formal partnership between agencies and organisations to deliver those services via the local Mid Essex Children's Trust Board (MECTB). The Plan is based on a robust needs analysis and presents 10 priorities under five Every Child Matters outcomes.

The MECTB reports to the Essex Children and Young People's Partnership Board and is a thematic group of the Braintree, Chelmsford and Maldon Local Strategic Partnership's (LSP). Councillor Mrs Schmitt, Cabinet Member for Communities, and Charmaine Dean, Head of Communities are the representatives for Braintree District Council on the MECTB.

Key areas for Braintree including safeguarding issues and mental health support for children and it was noted that any improvement in these areas or to ascertain whether services are improving generally can be seen in the Exceptions Reports from the MECTB to the Braintree LSP.

Cabinet Members noted the following issues:

- the 'Needs Analysis' produces colour-coded data that shows that Braintree District Council (BDC) is first among the Councils in Essex in some delivery areas, and has differing performance in other categories
- the Housing, Health and Well-Being Partnership Board is one route to take up issues and report to the MECTB, and Philippa Bull is also a member of the LSP Steering Group

- BDC uses Village Agents in rural areas and it was questioned if they should have an understanding of the Plan, and provide feedback. Mrs Bull advised reports can be made through Sub Groups and Local Networks.
- that 12,000 members of the public are engaged across Essex under Children and Young People. Philippa Bull agreed to provide further details, including specific Braintree data, if possible **Philippa Bull**
- an explanation on 'strengthen corporate parenting' – support for children through fostering and children's homes, and to lengthen placements with foster carers
- schools are part of the Partnership and all schools are represented and have to demonstrate at Inspections their partnership working

DECISION:

- (1) That the Essex Children and Young People's Plan be adopted, and the actions for improvement to safeguarding be agreed.
- (2) That the Chief Executive be authorised to sign the Memorandum of Agreement.

126 ANNUAL PLAN 2010/11

Councillor Butland, the Leader of the Council, presented the draft Annual Plan 2010/11 and advised that Cabinet Members would monitor progress on delivery of the projects and their outcomes.

The following issues were raised:

- Councillor Harley, Cabinet Member for Enterprise and Culture stated
 - (i) the District Council are striving to see improvements to the A120 between Braintree and Marks Tey (Page 6 of report refers) and a meeting is arranged with the Cabinet Member at Essex County Council in April to discuss this, and
 - (ii) if the railway station to the north of Chelmsford goes ahead it is doubtful if the construction of the passing loop at Cressing would happen
 It was noted that Councillor Lady Newton had a petition comprising of 2,300 signatures from residents of Coggeshall, and would be seeking support from the District Council for improvements to the Colne Road junction on the A120 at Coggeshall.
- Councillor Lager queried the 2008/09 Actual Target of 14.95 for the 'Number of Missed Bins not collected within 24 hrs of being reported per 100,000 (Page 16 refers) compared to the years either side. It was confirmed the 14.95 was incorrect and this would be amended in the next draft of the Plan. Other areas of concern were the 'Number of households living in temporary accommodation', and the 91% of 'Enquiries resolved at first point of contact with the Customer Service Centre' (Both on Page 17)
- Councillor Lady Newton, Cabinet Member for Housing and Well-Being referred to
 - (i) the voluntary and community groups paragraph on Page 12 'that the Council will continue to support voluntary groups' and requested that 'actively encouraging volunteering' be added
 - (ii) that the aim to build at least 113 affordable homes in the District (Page 11 refers) was not considered an ambitious target.

The Leader of the Council thanked Members for their comments and advised that actual data for 2009/10 was to be added to the draft Annual Plan.

DECISION: That the draft Annual Plan for 2010/11 be endorsed.

127 **CLEAN AND GREEN INITIATIVE - 'GREEN HEART OF ESSEX'**

Councillor Mrs Schmitt, Cabinet Member for Communities referred to the Clean and Green Programme announced by the Leader at the Council meeting on 15th February 2010, and its' new title of 'Green Heart of Essex'.

The 'Green Heart of Essex' programme builds on the views of residents from the recent consultation process and has the ambition to improve the appearance of the district and make it a better place to live. The official launch of the programme will take place in June 2010.

Councillor Mrs Schmitt gave a presentation on aims of the Council to:

- Provide access to nature for residents through open spaces, the planting of trees, wild flowers and bulbs
- A new improved service for street cleaning and the clearance of litter with response times and cleaning schedules to be published
- A 'See it Report it' service for residents, members, staff and partners
- Involve strong partnerships with parishes, voluntary groups, Essex County Council (ECC) and other local authorities, the Highways Agency, Greenfields Community Housing (GCH), businesses (including fast food outlets, supermarkets, pubs and industrial estates), and schools
- Make the District greener with more tree planting – therefore ensuring habitat for birds and insects – and to aid carbon reduction
- Improve facilities for public use and enjoyment, e.g. Witham Park, new seating in Great Square and Little Square, Braintree; and tree planting in Braintree town centre
- Refurbish six more play areas, with a programme to improve all play areas in the district
- To actively encourage more working with volunteers, from all age groups and organisations, e.g. young people from Mencap already assist at the Bocking Blackwater project
- To encourage more groups to take ownership of green spaces in their neighbourhood
- To explore the provision of future schemes (depending on funding)
 - the John Ray Park in Braintree
 - to plant an Oak tree in every town or village in the District to coincide with the Olympics in 2012
 - for community woodland and community orchards
 - for allotments and cyclepaths
- The protection of the local environment by increasing the District's recycling rate, and to achieve a 25% cut in the Council's carbon emissions
- With stronger enforcement, and using partners at the Police, GCH and ECC
- The involvement of staff, local Councillors, Local Committees, partners and local people
- To consider the reuse of funds received from local fixed penalty cases

The Leader of the Council advised that Councillor Mrs Schmitt will coordinate the Green Heart project, and it will involve all departments of the Council and all Portfolio Holders.

All Members welcomed the initiative, and stated there are also other areas that need to be considered:

- flytipping
- the need to engage with irresponsible dog owners
- to apply a zero tolerance on flyposting
- the placing of 'A' frames on pedestrian routes
- whether the 'See it Report it' service will be on a 24 hour basis
- to provide the Green Heart programme on the website, with a link facility for contact by email
- that Councillor E R Lynch sends details to Nick Day/Councillor Mrs Schmitt of popular play equipment to be retained to the side of refurbished play areas.

Cllr E Lynch

Councillor Abbott spoke on the similar work of Parish Councils that already plant bulbs and trees; for consistency across the Council, e.g. where trees were removed at the Spring Lodge, Witham site; a query on the 53% recycling rate (Page 9 of report); and the suggestion that the packaging of fast food outlets to be marked and returned to them when found in the district, i.e. on rural roadside verges.

The Leader clarified that the recycling target for 2010/11 is 53%, and it was noted that all issues would be looked at, in depth and greater detail before the launch of the full programme in June. A fund of £250,000 is to be set aside to establish the Green Heart project, with a 50:50 provision of capital and revenue.

DECISION: That it be **RECOMMENDED TO COUNCIL:-**

- (1) That the proposed programme and principles as outlined in the Green Heart of Essex programme be approved.
- (2) That a £250,000 fund be established to address the priorities for the next 12 months.
- (3) That a further report is made to Cabinet on 14th June 2010 as the plan develops.

128 **CARBON REDUCTION AT BRAINTREE DISTRICT COUNCIL AND ADAPTING TO CLIMATE CHANGE**

Councillor Walters, Cabinet Member for Environment and Sustainability, presented the fourth Annual Report on Climate Change issues since the Council signed the Nottingham Declaration. The key areas of progress and success during 2009-10 advised that Braintree District Council were at the forefront of many initiatives, including measures to reduce its own carbon emissions by 25% by 2013.

Councillor Lager, Cabinet Member for Efficiency and Resources, referred to the planting of new trees and proposed that measures are introduced for replacing trees that are cut down. Planning policy could be changed to ensure this takes place, and include Tree Preservation Orders and those in Conservation Areas. The trees on roadside verges under Highways and Transportation (ECC) control and those in private ownership could also be taken into account.

It was agreed that Councillor Harley would liaise with Councillor Mrs Schmitt on this issue.

In response to a query on the 53% recycling rate quoted at Page 6 (Appendices) of the

Climate Change report it was clarified that the Council had already achieved 53% to the quarter ending December 2009, and also had a 53% target for 2010/11.

Councillor Abbott referred to the thousands of floodlights left on over night at car parks, industrial estates and considered that the commercial sector should also be looked at for carbon reductions. It was proposed that the Business Improvement Districts (BIDS) scheme already in place in Witham and currently being proposed for Braintree could be used to encourage the introduction of improved methods, e.g. the use of sensors. The standard of the floodlighting at Braintree Leisure Centre was also an area of concern. Councillor Walters agreed this was an area to be addressed, and that a longer term initiative could be for SMART measures being introduced for street lighting. He agreed to contact Mark Wilson, the Climate Change Manager, to discuss this. **Cllr Walters**

Members also discussed the arrangement with the Environment Agency for the maintenance of rivers in the District – specifically the River Stour and River Colne – and the need for dredging and clearance (including litter) of the water courses. Councillor Walters advised that a Flood Bill is to be received by the House of Lords in April 2010 that will place responsibility with ECC for flooding and the production of a flood risk plan

DECISION:

- (1) That the report be noted.
- (2) That the internal and external carbon savings that have been made by the Council and adaptation measures developed in 2009/10 are acknowledged.

129 IMPROVEMENTS TO WITHAM TOWN PARK

Councillor Walters, Cabinet Member for Environment and Sustainability, presented proposals for a replacement toilet together with a store in Witham Town Park. The sustainable structure is designed to resist vandalism and is a partnership project between Braintree District Council (BDC) and Witham Town Council, with the Town Council taking responsibility for cleaning, maintenance, security and locking and unlocking the facility on a daily basis.

Councillor Lager welcomed the project and indicated that the partnership deal between the two Councils will need to be formalised, i.e. through a Service Level Agreement. Councillor Mrs Schmitt questioned the Capital cost of £70,000 for BDC in 2011-12, compared to the costs of the toilet facility in the Public Gardens at Bocking End. The Leader advised that budget provision will be revisited following the outcome of the tendering process, if required.

DECISION:

- (1) That the provision of a replacement toilet and store in Witham Town Park and for Capital funding to be allocated in the order of £10,500 in 2010-11 and £70,000 in 2011-12, be approved in principle.
- (2) That negotiations with Witham Town Council continue to reach a formalised agreement on the partnership project, as indicated above and in the report.

Councillor Lady Newton, Cabinet Member for Housing and Well-Being defined the Standard Option agreed at Cabinet in February 2010 and presented additional items for consideration comprising of:

- a moveable pool floor in the learner pool tank
- a wet suite including sauna/steam room
- an additional squash court
- treatment rooms for physiotherapy/beauty treatments
- a crèche.

The Income and Capital Cost for the Standard Option (Table 1 in report) totalling £6.4m; a Summary of the Revenue Budget and the provision of a Sinking Fund (Table 2) at £100,000 for each of five years; and the estimated Capital Build Cost of the additional facilities (Table 3) were indicated. It was noted that the crèche facility had not been costed, as it was not considered a viable option, as it will not raise sufficient revenue.

Additional External Works identified since the Cabinet report in February 2010 are the replacement of existing hard courts (on the Spinks Lane site), and landscaping and remodelling works to the proposed car park area. The inclusion of a contingency fund, of a 10% allowance, to the overall capital cost was also to be considered; and Project Management arrangements and Facility Management.

Therefore, the proposed Capital Cost of the project stands at £6.6m, and the additional items and external works and contingency allowance (as defined in the report) accumulates to an overall capital cost of £7.5m. Revised recommendations to that stated in the report were presented.

During the discussion the following issues were raised:-

- That by reducing the fitness stations from 80 to 75 would result with a loss of income of £58,000. Additional income could help remedy the loss indicated in Table 2 – Summary of Revenue Budget
- That the provision of a crèche would enable young mothers to use the facilities
- Reassurance to the use and experience of consultants
- That the number of squash courts had been increased when, it was considered, there was a decline in demand for the sport
- The requests of Sport England to replace hard courts
- That the £7.5m investment, from an original £5m estimate, must show good value for Council funds

Councillor Lady Newton, in response advised that it was members that had requested 70-75 fitness stations within the standard option, and costings had been made on this basis. If this was revisited and increased it would impact on other facilities in the project. With regard to the additional squash court the design of the building would allow this to be a flexible space that has other uses.

DECISION:

- (1) That the scope of the Witham Leisure Centre project be agreed as follows:

Swimming Pools - Main Pool 25m x 13m
- Learner Pool 13m x 13m

Fitness Suite for 70-75 stations including free weights area

Two dance studios

Café/Shop

Three squash courts

Wet Suite including sauna and steam room

Two Treatment Rooms

The current estimated Capital Cost of the above is £6.6m, with other external works and contingency brings the overall project cost to approximately £7.5m

- (2) That full cost designs be commissioned from the appropriate specialist consultants
- (3) That the appropriate project management resources be put into place to deliver this project
- (4) That proposals for the future management of any new facility be considered both with the Academies Enterprise Trust and other leisure providers.

- (5) That it is **RECOMMENDED TO COUNCIL**

That capital of £7.5m be allocated to the Witham Leisure Centre subject to (2) above

131 ****ASSET MANAGEMENT PLAN 2010/11**

Minutes Published: 8th April 2010
Call-in Expires: 16th April 2010

Councillor Lager, Cabinet Member for Efficiency and Resources, presented the Asset Management Plan for 2010-12 and referred to proposals on promoting regeneration and redevelopment, including the scheme at Land East of the High Street in Halstead where the District Council are working with others to take the project forward. The proposed actions by the Council before 31st March 2011 (Page 22 of Appendices) and the closure of Community Halls with potential management/ownership to local groups were noted.

Cabinet supported the Plan and referred to the need to consult with local shop owners when taking forward the Land East of the High Street scheme in Halstead. In response to a query regarding Braintree public toilets being demolished it was clarified that the toilets at the bus park would be closed from 31st March 2010 with disabled provision remaining open until further notice, and that public toilets behind the Town Hall will be considered when the redevelopment of that site moves forward.

DECISION: That the Asset Management Plan for 2010-12 be adopted.

132 ****LOCAL SERVICE PROVISION (FACE TO FACE SERVICES AT LIBRARIES)**

Minutes Published: 8th April 2010
Call-in Expires: 16th April 2010

Councillor Mrs Beavis, Cabinet Member for Customers and Communication, referred to the previous work of the Rural Isolation Task and Finish Group to provide services locally and continued to present the Local Service Provision – Business Case report containing four options. Preference was made for Option 1 to provide face to face services from all libraries across the district, in partnership with Essex County Council. This will allow the Service Level Agreement (SLA) to provide face to face services with Greenfields Community Housing at their Halstead Office to be terminated. The current SLA costs £82,000 and the proposal would cost £55,000, therefore realising a saving of £27,000.

The provision of a face to face service in Braintree would be considered as the Causeway House accommodation project is developed.

Members welcomed the initiative to use existing facilities, following on from the successful trial for joint working at Witham library. The benefits in providing District and County Council services in one place provides a base for other agencies, i.e. Health Service, the Police, the Post Office, to supply seamless service delivery to customers. In response to a query regarding planning consent or consultation with the landlord of the Halstead library building, it was clarified that the proposed 'model' is currently being sought and operational issues will be dealt with at a later stage.

DECISION: That Option 1 in the report – To provide face to face services from all libraries across the district, including Service Access Points at Witham and Halstead library, and Customer Information Points at smaller libraries - be agreed.

133 **QUARTERLY PERFORMANCE MANAGEMENT REPORT 2009/2010**

Councillor Lager, Cabinet Member for Efficiency and Resources, presented the performance report for Quarter Three – October to December 2009. High levels of projects are on target with 21 in the top quartile, 12 in the second quartile, with one in bottom quartile.

In response to a query regarding Section 3 of the report (Managing the Organisation) it was clarified that RRFO in the Notes column regarding 'non-conformances with legal or corporate standards in safety' refers to the RRFSO which is Regulatory Reform (Fire Safety) Order 2005 that came into force in October 2006.

DECISION: That the Quarterly Performance Report for Quarter Three be endorsed.

134 **CABINET MEMBERS' UPDATES**

Councillor Harley, Cabinet Member for Enterprise and Culture introduced an item on **plans by the National Grid** to provide a new 400kv power line across part of the Braintree district and advised that Councillor Shelton as Ward Member for Stour Valley South would address the Cabinet.

Councillor Shelton spoke on behalf of residents in his Ward, who are in opposition to the four corridor options put forward by National Grid affecting the Stour Valley. Reference was made to the establishment of the Stour Valley Underground movement who had carried out major research and consultation to the proposed overhead power line route between Bramford (near Ipswich) to the Twinstead Tee. They had proposed an under sea route from Norfolk around the coast to Bramford, then continuing to the Thames Estuary. This had found support at the Halstead Local Committee meeting in January 2010 and by the Dedham Vale and Stour Valley Partnership Project. Therefore, the District Council was called upon to register its' opposition to all proposed routes and to

recommend an under sea route, in order to retain the Stour Valley for its constituents. Councillor Harley and other Cabinet Members supported this view.

DECISION: That Councillor Harley, on behalf of Braintree District Council, formally makes appropriate representation to the National Grid, opposing their proposals for an overhead power line across the Stour Valley and requests an under sea route to be considered.

Councillor Lady Newton, Cabinet Member for Housing and Well-Being, reported on the **development on the junction of Railway Street and South Street, Braintree**. This is to provide 31 units as re-provision of the Nacro project at Trinity House in Halstead and the current situation is progressing very slowly. A bid for funding was submitted in October 2009 but failed on concerns regarding value for money and the Registered Social Landlord (RSL) was requested to find a cheaper scheme. A builder has come forward to buy the site and build the scheme for the RSL with an exchange of contracts anticipated at the end of April 2010. A planning application will need to be submitted, and discussion with other parties to take this initiative forward.

Councillor Bebb, Deputy Cabinet Member for Customers and Communication, advised that he had attended a **National Census** meeting on behalf of the Leader and Chief Executive. The next National Census of all residential households will commence on 27th March 2011 and the Council has a collective responsibility for the Office of National Statistics to gather data including population, housing, employment and education. Councillor Bebb had already circulated an email, and reference to the handbook, to fellow Councillors advising that each Ward Member should ensure that their constituents register in the National Census as accuracy is essential to the process and for seeking funding.

135 **REFERENCES FROM OTHER COMMITTEES/BOARDS**

- Overview and Scrutiny Committee – 27th January 2010
Public Toilet Provision in the District

Councillor M G Gage, Chairman of the Overview and Scrutiny Committee, presented the minute extract and the two recommendations regarding (i) responses from Parish Councils and interested parties in the consultation process and (ii) the feasibility of providing a 'Community Toilet Scheme' similar to that produced by the London Borough of Richmond.

The Leader considered that the minute was acceptable on the basis that Cabinet would look for evidence (not perception) of a gap in toilet provision in any future investigation.

DECISION: That Cabinet notes the minute extract and recommendations as follows:-

- (1) Although it is noted that there are no proposals to close the Council's existing public toilets as part of the 2010/11 budgetary savings, the Cabinet notes the responses received as a result of the consultation exercise that was undertaken at the start of the study, expressing concern at the loss of any of the Council's current public toilets;
- (2) If there is any perceived gap in public toilet provision in the future, the Cabinet should investigate (as one of the possible options) the feasibility of providing a 'Community Toilet Scheme' in partnership with local businesses.

▪ Programme Board References

- (i) Clean and Green Programme Board – 11th February 2010

The extract referred to the resignation of Councillor J Elliott from the Programme Board. The Leader advised that no further action was required.

DECISION: That the minute extract be noted.

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- (ii) Performance, Innovation and Efficiency Programme Board – 18th March 2010

Councillor Lager, Chairman of the Performance, Innovation & Efficiency (PIE) Programme Board presented the three recommendations regarding proposals to the most efficient method of provision of Council services. Braintree District Council (BDC) already has many sharing initiatives with other authorities, e.g. Colchester and Uttlesford. Essex County Council is developing its own business model involving a corporate core, and universal service providers, and offers to share a common range of support services. The recommendations reflect the potential scope and feasibility for BDC to participate in this.

DECISION:

- (1) That the minute extract be noted.
- (2) That the Council should fully participate in the scope and feasibility exercise with Essex County Council on the opportunity to share services to achieve greater efficiency and resilience.
- (3) That subject to the outcome of the initial scope and feasibility exercise and securing Regional Improvement and Efficiency Panel (RIEP) funding, the Council then considers its overall strategic approach to service delivery.
- (4) That consideration be given as to how a commission : provider model could be developed within the organisation and with partners. A paper to be presented to the PIE Board with the outcome of (3) above.

136 **MINUTES FROM CABINET SUB-GROUPS AND REFERENCES**

Consideration was given to the minutes of the Local Government Reform Cabinet Sub Group held on 25th November 2009.

DECISION: That the minutes of the above meeting be noted.

137 **DELEGATED DECISIONS**

DECISION: That the following delegated decisions be noted

- Councillor Harley approved the 2009 Annual Monitoring Report
- Councillor Butland approved a pay award of 1% for Chief Officers

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 Paragraph 3 of Part 1 of Schedule 12 (A) of the Act.

Although the following items were taken in Private Session they do not contain any confidential information and are therefore admissible in the public domain.

138 DECLARATION OF INTEREST

Councillor J E Abbott declared a personal and prejudicial interest in Item 15a – Disposal of Council-owned land in Braintree as he undertakes work for the school in Witham that is referred to in the report.

In accordance with the Code of Conduct, Councillor Abbott left the meeting whilst the discussion and the decision on this item was taken.

139 PROPOSED ACQUISITION OF LAND IN WITHAM

Councillor Lager, Cabinet Member for Efficiency and Resources, presented the report and the minute extract from Witham Local Committee supporting the acquisition of property in Witham.

DECISION: That it be **RECOMMENDED TO COUNCIL:-**

That the Head of Asset Management be authorised to proceed with the acquisition of the property described in the report, for the value stated or on such terms and conditions as agreed by the Cabinet Member for Efficiency and Resources.

140 DISPOSAL OF COUNCIL-OWNED LAND IN BRAINTREE

Councillor Lager, Cabinet Member for Efficiency and Resources, presented the report and the minute extract from Braintree Local Committee, advising of a conditional offer received for the acquisition of land in Braintree and the grant of access rights. The final Heads of Terms were attached to the report.

DECISION: That it be **RECOMMENDED TO COUNCIL:-**

That the site in Braintree (as described in the report) be declared surplus to requirements and disposed of, and access rights granted in accordance with the Heads of Terms detailed within the report or on such other terms and conditions as agreed by the Cabinet Member for Efficiency and Resources.

The meeting commenced at 7.15pm and closed at 10.03pm.

G BUTLAND

(Leader)