

Minutes

Cabinet

20th May 2024



These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A recording of the meeting is available at <http://www.braintree.gov.uk/youtube>

Present:

Portfolio	Cabinet Member	Present
Overall Strategy	Councillor G Butland (Leader of the Council)	Apologies
Deputy Cabinet Member to the Leader	Councillor R van Dulken	Yes
Transformation, Performance and Delivery		
Finance, Resources and Performance	Councillor K Bowers	Yes
Deputy Cabinet Member	Councillor J Coleridge	Yes
Transformation, the Environment and Customer Services	Councillor T Cunningham (Deputy Leader)	Yes
Deputy Cabinet Member	Councillor D Garrod	Yes
Connecting People, Places and Prosperity		
Economic Growth and Infrastructure	Councillor F Ricci	Apologies
Planning	Councillor G Spray	Yes
Deputy Cabinet Member	Councillor P Schwier	Yes
Supporting Communities		
Housing, Health and Wellbeing	Councillor L Bowers-Flint	Yes
Deputy Cabinet Member	Councillor B Taylor	Yes
Stronger Communities	Councillor M Cunningham	Yes
Deputy Cabinet Member	Councillor C Dervish	Yes

Present as Invitees of the Leader:

Councillor J Beavis (Leader of the Independent and Green Group) and Councillor Pell (Leader of the Halstead Residents Group) were present as invitees of the Leader. Councillor L Jefferis gave her apologies for the meeting. In the absence of Councillor Jefferis, Councillor

Those minutes identified by the prefix ** may be the subject of the "call-in" provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not "called in" by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email governance@braintree.gov.uk

Heath was in attendance, and the Deputy Leader invited Councillor Heath to join the opposition Members at the table.

73. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor L Bowers-Flint declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC) as ECC was referred to in various items throughout the Agenda.

Councillor J Coleridge declared a non-pecuniary interest in Agenda Item 12 – ‘Braintree District Council Asset Considerations - Mayland House’ as a registered patient at the health facility mentioned in the report.

Councillor T Cunningham declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC) as ECC was referred to in various items throughout the Agenda.

Councillor P Schwier declared a non-pecuniary interest as an Elected Member of Essex County Council (ECC) as ECC was referred to in various items throughout the Agenda.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the Items were considered.

74. **MINUTES**

DECISION: That the Minutes of the meeting of Cabinet held on 4th March 2024 were approved as a correct record and signed by the Chairman.

75. **QUESTION TIME**

INFORMATION: There were no registered speakers for public question time.

76. ****AWARD OF CONTRACT FOR REFUSE & RECYCLING SACKS**

Minutes Published: 29th May 2024 Call-in Expires: 5th June 2024
--

INFORMATION: Members were asked to consider the report which sought approval to award a contract for the supply of plastic sacks.

Members were advised that Braintree District Council supplied the residents of the district with clear sacks for the containment of their recyclable waste, in readiness for collection on their scheduled collection day. In addition, the Council provided a range of other sacks for use across the district as part of its day-to-day operations including black sacks for residents not on wheeled bins, commercial waste sacks for businesses, and sacks used by the Street Cleansing Service for litter and dog bin waste.

Those minutes identified by the prefix ** may be the subject of the “call-in” provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not “called in” by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email governance@braintree.gov.uk

A procurement exercise was undertaken in collaboration with Castle Point Borough Council for the requirement of several types of plastic refuse and recycling sacks in order to achieve economies of scale.

It was reported that following the evaluation, Paramount Packaging had achieved the highest overall score proving that it was the most economically advantageous tender based on a combination of price and quality. It was therefore recommended that the Council award to this supplier.

DECISION: That Cabinet agreed to award a 12-month contract to Paramount Packaging for the 2024/25 supply of Refuse, Recycling and Street Cleansing Sacks, for a total contract value of £244,000.

77. ****SKATEPARK REFURBISHMENT PROJECT**

Minutes Published: 29th May 2024 Call-in Expires: 5th June 2024
--

INFORMATION: Members were asked to consider the report which sought approval to vary the contract for the Skatepark Refurbishment Project.

Members were reminded that at its meeting on 18th December 2023, Cabinet approved the award of a Contract to Bendcrete Skateparks at a value of £458,325 for the design, construction and refurbishment of 3 skate parks at Spa Road Witham, Ramsey Road Halstead and Weavers Park Braintree. Prior to construction commencing on site, it was agreed that the final designs submitted by Bendcrete would be discussed with the various user groups who the Council had engaged and consulted with as part of the overall refurbishment project. The feedback received about the designs at all 3 locations was very positive and the comments provided by the various user groups were extremely valuable. In respect of the site at Spa Road Witham, after the requested changes made by the user groups were incorporated, it became apparent that it was lacking in terms of beginner and transitional equipment for young children. It was requested by the user group for consideration be given to incorporate a mini wheels' pump track in the final design (subject to affordability), to allow younger children to have an area to play that would help build their confidence before moving onto the larger equipment.

Members were advised that following a conversation with the Council's S106 Officer additional funding could be made available to meet the cost of the additional works. Bendcrete incorporated the suggestion in the final design at an additional cost to the Contract of £24,999. As Cabinet had approved Contract value awarded to Bendcrete, it was required to consider and approve a variation to the Contract value if it agreed to the additional equipment being installed at Spa Road Witham. Cabinet would also need to approve a corresponding increase in the budget for the project.

DECISION: That Cabinet agreed:

Those minutes identified by the prefix ** may be the subject of the "call-in" provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not "called in" by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email governance@braintree.gov.uk

1. To approve an additional budget of £24,999 to be met from S106 funding for the design, construction and refurbishment of 3 skate parks. This would provide a total budget of £506,132.
2. To approve an additional cost of £24,999 for enhancing the specification of the equipment to be installed at the skate park at Spa Road Witham and for the Council to issue a variation to the Contract with its supplier, Bendcrete for a revised Contract value of £483,324.

76. ****ANNUAL PLAN 2024/25**

Minutes Published: 29th May 2024 Call-in Expires: 5th June 2024
--

INFORMATION: Members were asked to consider the Annual Plan 2024/25 which set out the proposals for the Council's actions and performance measures to support the first year of delivering the Corporate Strategy 2024 – 2028.

Members were advised that the actions and performance measures were aligned to each of the corporate strategy themes which were: Communities, Prosperity and Environment.

It was added that the Annual Plan 2024/25 included actions to deliver against the Council's Fit for the Future Programme and a section to enable reporting out on the progress made against the Corporate Peer Review Action Plan. The Plan also provided the performance framework for managing the delivery of the actions and priorities by regularly reviewing the activity and achievements against it and reporting on the progress on a quarterly basis to Cabinet.

DECISION: That Cabinet agreed:

1. To approve the Annual Plan 2024/25.
2. The Council's key actions and performance measures for 2024/25.

77. ****HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2024 – 2029**

Minutes Published: 29th May 2024 Call-in Expires: 5th June 2024
--

INFORMATION: Members were asked to consider the report and Action Plan which would implement the recommendations of the report produced by the Peer Challenge team following the Local Government Association Corporate Peer Challenge that was carried out in October 2023.

Members were advised that Braintree District Council was required under the Homelessness Act 2002 to publish a homelessness strategy at least every five years. The current homelessness strategy covered the period 2018 – 2023. Therefore, the Council needed to consider approving a revised Homelessness and Rough Sleeping

Those minutes identified by the prefix ** may be the subject of the "call-in" provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not "called in" by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email governance@braintree.gov.uk

Strategy 2024 – 2029 which would ensure that Council was fulfilling its duties in the prevention and responding, to homelessness within the district.

It was reported that the Homelessness and Rough Sleeping Strategy 2024 - 2029 retained a clear focus upon early intervention to prevent homelessness; or if prevention was not possible, to end homelessness at the earliest opportunity. The Strategy committed the Council to putting in place the advice, support and tools for residents who were either at risk of or who were homeless to ensure everyone had the help they needed, and that no one in the Braintree District was facing homelessness alone.

Members were advised that the Strategy was centred around 4 key themes that had been recognised as the most pressing drivers of homelessness and rough sleeping in the District and set out to describe how they could be addressed, these included

- To prevent homelessness whenever possible.
- Facilitate the delivery of suitable temporary accommodation.
- Increase access to suitable accommodation and,
- To prevent and break the cycle of rough sleeping

It was added that an up-to-date Strategy, which provided a strategic framework that reflected the current market conditions and operating climate was essential for the Council to be able to respond effectively to increasing homelessness in the District.

DECISION: That Cabinet agreed to adopt the Braintree District Council Homelessness and Rough Sleeping Strategy, as set out in Appendix A of the report.

78. ****PROPOSED VARIATION TO THE BRAINTREE DISTRICT COUNCIL OFF STREET PARKING PLACES ORDER 2023**

Minutes Published: 29th May 2024 Call-in Expires: 5th June 2024
--

INFORMATION: Members were asked to consider the report which sought approval to vary the Braintree District Council Off Street Parking Places Order 2023 (OSPPO) to facilitate public parking on a Friday evening at Causeway House car park, Braintree.

Members were advised that The Institute, Braintree, had approached the Council to enquire about the possibility of introducing public parking at Causeway House on a Friday evening to accommodate people attending events at the venue. However, it was recognised that there may be other businesses in the near vicinity that would also welcome additional parking on a Friday evening closer to this side of town.

It was reported that the Council already offered Pay & Display parking at Causeway House during the weekends, but parking from Monday to Friday had traditionally been restricted to Councillors, staff, tenants and visitors to the building. Since covid and the introduction of flexible working, demand for parking space at Causeway House has reduced and, with no evening meetings scheduled on Fridays, there was scope to extend the Pay & Display option to include Friday evenings. Members and staff would retain the option of free parking providing they were genuinely on Council business

Those minutes identified by the prefix ** may be the subject of the "call-in" provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not "called in" by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email governance@braintree.gov.uk

and their vehicle was displaying their BDC permit, as was the case in the Council's other Pay & Display car parks.

Members were advised that it was proposed that the new parking tariff aligned with that for overnight parking in the Council's other Pay & Display car parks which was £1 from 7pm to 7am the following day. Whilst this may not generate a significant increase in revenue, it would continue to enhance the relationship between the business community and the Council, as well as offering an alternative parking solution to people visiting the town during these hours.

It was noted that the North Essex Parking Partnership would assume responsibility for parking enforcement in line with all the Council's other Pay & Display car parks.

DECISION: That Cabinet approved a variation to the Braintree District Council OSPPO to introduce Pay & Display parking at Causeway House car park, Braintree, on a Friday evening from 7pm until 7am the following day, with effect from 1 August 2024.

79. ****PUBLIC SPACES PROTECTION ORDER – BRAINTREE TOWN CENTRE**

Minutes Published: 29th May 2024 Call-in Expires: 5th June 2024
--

INFORMATION: Members were asked to consider the report which brought forward the concerns arising from antisocial behaviour within the Braintree Town Centre.

Members were advised that in order for Braintree District Council to consider options available for the future management of antisocial behaviour, it was the intention of the Council to conduct a 28-day public consultation.

It was reported that over the last four years Braintree Town Centre had experienced on-going anti-social behaviour issues which had impacted on local businesses and those visiting the town centre. Reports had been received from local businesses including Branocs & Connells Estate Agents in Great Square, Barclays Bank in Bank Street, the Conservative Club and the Town Hall Centre; along with members of the public, those living in residential properties within the town centre.

The Council were also experiencing antisocial behaviour issues in Victoria Car Park with inappropriate activation of call points, car nuisance & vandalism, drug dealing, urination & rough sleeping. Over the course of a 12-month period the Council had spent approximately £30k on remediating these matters at this location alone.

Members were advised that in 2014, the Home Office published statutory guidance to support the effective use of new powers to tackle anti-social behaviour through the Anti-Social Behaviour, Crime & Policing Act 2014 (the 2014 Act). PSPOs were one of the tools available under the 2014 Act and could be used to prohibit specified activities, and/or require certain things to be done by people engaged activities, within a defined public area. They differ from other tools under the 2014 Act as rather than targeting specific individuals or properties, they focused on the identified problem behaviour in a specific location.

Those minutes identified by the prefix ** may be the subject of the "call-in" provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not "called in" by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email governance@braintree.gov.uk

DECISION: That Cabinet agreed:

1. That a 28-day public consultation would take place to inform the Councils consideration for a Public Spaces Protection Order (PSPO) for the management of antisocial behaviour within Braintree Town Centre.
2. To delegate authority to the Cabinet Member for Supporting Communities to make a Public Spaces Protection Order, following the conclusion of the consultation and where there was evidential support to do so.

80. **BRAINTREE DISTRICT COUNCIL ASSET CONSIDERATIONS - MAYLAND HOUSE**

INFORMATION: Members were reminded that this Item included a confidential report which contained exempt information that fell within Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. Due to the nature of the report in its entirety, it was 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 as it was necessary to discuss the confidential report on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

This Item was considered entirely in the Private Session of the meeting.

DECISION: That Cabinet agreed the recommendations set out within the report.

The meeting commenced at 7.15pm and closed at 8.27pm.

COUNCILLOR T CUNNINGHAM
(Deputy Leader of the Council)