

Minutes

Cabinet

29th November 2021



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)	Yes
Innovative Environment		
Finance and Corporate Transformation	Councillor J McKee	Yes
The Environment	Councillor Mrs W Schmitt	Yes
Connecting People, Places and Prosperity		
Economic Growth	Councillor T Cunningham (Deputy Leader)	Yes
Housing, Assets and Skills	Councillor K Bowers	Yes
Planning and Infrastructure	Councillor Mrs G Spray	Yes
Supporting Our Communities		
Health and Wellbeing	Councillor P Tattersley	Yes
Communities	Councillor F Ricci	Yes

Present as Cabinet Support Members: None. Apologies for absence had been received from Mrs I Parker (Supporting Our Communities) and Councillor R van Dulken.

Present as Invitees of the Leader: Councillor J Abbott (Leader of the Green and Independent Group), Councillor D Mann (Leader of the Labour Group) and Councillor Mrs J Pell (Leader of Halstead Residents Association).

30 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

Councillor G Butland declared a Non-Pecuniary Interest as an Elected Member at Essex County Council (ECC) regarding Agenda item 5a – ‘Bouncing Back Together’ and Agenda item 5b – ‘Second Quarter Performance Management Report 2001/22’.

Councillor T Cunningham declared a Non-Pecuniary Interest as an Elected Member of ECC regarding Agenda item 5a – ‘Bouncing Back Together’ and Agenda item 5b – ‘Second Quarter Performance Management Report 2001/22’.

31 **MINUTES**

DECISION: The Minutes of the meeting of the Cabinet held on 18th October 2021 were approved as a correct record and signed by the Chairman.

32 **QUESTION TIME**

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

33 **BOUNCING BACK TOGETHER – OUR PLAN FOR THE DISTRICT OCTOBER 2021 TO MARCH 2023**

INFORMATION: Braintree District Council’s (the Council) Annual Plan – Bouncing Back Together was approved at the last meeting of Cabinet. However, due to the events that took place in Southend on 15th October 2021, leading to the death of Sir David Amess MP, the opportunity for Cabinet Members to outline various aspects of the Plan that fall within their portfolios and for Members to ask questions was postponed to this meeting.

In order for the Council’s business planning process to be able to adapt accordingly to the challenges posed by the pandemic over the past 18 months, the previous Annual Plan had been extended to the end of September 2021. A further 18 month Plan was required to take the Council through the recovery process from October 2021 to March 2023. The Plan sets out the main priorities the Council will be pursuing.

Councillor Cunningham reported that with regard to town centre support, the Plan shows there has been a key focus on the need for improvements in Braintree town centre. Although the Braintree town centre pedestrianisation project has taken longer than anticipated, it is now close to completion. On 20th November 2021, there was a successful Christmas light switch on event in Braintree town centre. The major Victoria Square project is well under way and is indicative of a real boost to Braintree town centre. Work is being carried out regarding town centre improvements in Witham and Halstead and further updates will be provided to Members early next year. This will look at ways to help encourage people to visit these town centres, increase footfall and boost the local economic recovery. Following Councillor Abbott’s concern about the lack of capital investment in Witham, Councillor Butland reported that he had had a meeting with the Leader of Witham Town Council and that he is looking to work in partnership with the Town Council to find ways to resolve some issues. If Councillor Abbott has an interesting proposal for a socio economic project in Silver End with financial return then please bring it forward.

As part of the ‘Refresh our Plan for Growth’, the Council needs to understand how it can support the economic recovery that is relevant to the needs of the Braintree District. Since a change to business support arrangements in 2018, the Council has ensured that relevant business support is offered and not duplicated in a wider market in order to help social and economic recovery. The major project of Horizon 120 and the smaller project of I-Construct both have a high emphasis on providing business

support. The Enterprise Centre at Horizon 120 has a business support element in line with the capital project which has been helped by the £7 million Government funding from the 'Get Building Fund' for last year. The Council remains excited and positive about the support that is already being delivered to the construction industry and will continue to be given to the construction industry. The Council continues to work with other providers, including Essex County Council (ECC), to ensure that business support continues. Horizon 120 continues to generate interest and enthusiasm from the business community. The Council's Economic Development Team wanted to ensure that it works with the rest of the organisation so that the Council is well primed to take advantage of external funding to help create green jobs and to look for opportunities to make use of transferable skills and to upskill the workforce in the District.

In relation to the Corporate Strategy "Connecting People and Places", Councillor Mrs Pell reminded Members that smaller villages were unable to connect as they used to via bus routes due to a shortage of drivers. Examples were given of young people not being able to get to school on time or arriving late for training sessions due to a lack of buses. The importance of people being able to get to work and school on time was accepted, however it was recognised that there is a national bus driver shortage. Councillor Butland reported that ECC are consulting on their "Bus Back Better" strategy, with a deadline for responses of 3rd December 2021. Councillor Mrs Spray reported that Council Officers had sent a response earlier in the day which included a request to pay particular attention to rural routes and better bus shelters. The "Bus Back Better" report mentions that the total amount invested in buses over the past four years across Essex is around £70 million and for specific bus projects, £2.1 million invested in the Braintree District. Further information on this can be found on ECC's website.

Councillor McKee reported that the Council was waiting for details of a financial settlement from the Government in order to progress with the Council's priority of delivering and innovating.

Councillor McKee explained that the pandemic had led to a lot of the existing digital strategy being delivered early due to setting up all staff and Members to work from home through the pandemic. The Council is therefore focusing on refreshing the digital strategy which will further enable hybrid working so that staff can work from home or an alternative appropriate location as necessary, subject to the organisation's needs. Different technical requirements are required to facilitate this so that the public are able to contact Officers and to provide an online booking system for meeting rooms.

Relating to the enhancing our environment priority, Councillor Mrs Schmitt commented on the continuation of keeping our District clean and well maintained with high quality parks and green spaces. Councillor Mrs Schmitt was pleased to remind Members that the Council has won 42 Essex Playing Fields Awards and to date now has 32 electric vehicle charging points across the District. It is appreciated that people will continue to use cars and so improvements to roads such as the A120 will be necessary. Councillor Mrs Schmitt will look into the possibility of a joint carbon budget with ECC.

Work is underway for a garden of remembrance at Bocking Cemetery that will include an area specifically designed for children. Work continues with refurbishing children's play areas across the District to ensure they stay safe, secure and enjoyable.

The Council will continue to support residents and businesses to reduce, reuse and recycle, in order to help support the Climate Change Strategy. A total of 18,600 native trees and 73,000 bulbs have been made available for planting throughout the District.

Councillor Tattersley mentioned initiatives within the Plan to increase activity, reduce obesity and improve physical and mental health through the LiveWell programme.

Councillor Bowers reported that the Council's Housing Strategy is for an increase of 500 affordable homes between April 2021 and March 2023. The Plan also mentions working towards an Enterprise Centre in Witham. The Council is looking to ensure that skills and training provision is aligned to meet with what is required by businesses for new and expanding sectors within the District.

Councillor Mrs Spray reported that the Council is at the closing stages of Section 2 of the draft Local Plan. Following some modifications made by the Inspectors, Section 2 and the updated Sustainability Appraisal and Habitat Regulations Assessment had been agreed at the Local Plan Sub-Committee meeting held on 25th November 2021 and would proceed to public consultation. There would be a 7 week consultation period starting shortly, with the Inspectors considering the responses subject to any further revisions, it was expected that Section 2 would be taken to Full Council for approval early in the New Year. With regard to the 5 year housing land supply, concern was raised about Planning Officers recommending approval for speculative sites that are not in the plan. Councillor Mrs Spray explained that the Council needs to balance what goes ahead and to refuse applications where appropriate.

The review of the Council's enforcement service is underway with four meetings of a cross-party Members Reference Group having been held. It was felt that the templates for these meetings could be used in future Member review meetings. Recognition was given to the efficiency of the Enforcement Team following two unauthorised occupation of land cases in October that had successful outcomes for the Council after they went to the High Court.

The Members Forum was proposed and approved at the start of 2021 and is expected to start in the New Year after Members have reviewed the proposal. This Forum will allow developers of larger schemes to present their proposals to the Planning Committee ahead of planning applications being submitted with relevant Ward Members and Officers also being involved.

Following a number of meetings relating to the A12 and A120 proposed improvement schemes, Councillor Mrs Spray reported that concerns were raised about how the schemes will impact on a number of junctions in the District. These routes are important to keep traffic flowing, providing they do not lead to tailbacks on smaller roads. Pollution, particularly on the A120 at the Galley's roundabout, is a significant issue and Members would like to see an early resolution to this.

There are a number of Nationally Significant Infrastructure Projects planned for the District including the Bramford Twinstead national grid upgrade, a large solar farm

proposal on the edge of the District close to Chelmsford and proposals by the Ministry of Justice for new prisons at Wethersfield. All of these projects are being consulted on.

Following Councillor Mrs Spray's attendance at the Essex Planning Portfolio Holders meeting earlier in the day, she reported that there was a lot of discussion on how to make planning fit for purpose, in particular focusing on green energy and making new builds sustainable and to retrofit a significant number of homes to bring them up to standard.

Councillor Ricci highlighted the strengths of communities over the last 18 months and what has been achieved. This was done through community engagement and volunteering schemes. There is a need to increase volunteer opportunities and to recognise this dedication through the Volunteer Award Programme. The Council will also engage more with communities to encourage more people to have their say. Part of this is to set up a Young People's Panel to give younger people the chance to have their say on the future of the District.

Community safety is important and the Council will continue to work through the Community Safety Partnership. The Council is looking to train a number of their own staff to support and empower people so they can support those who have experienced exploitation or domestic abuse.

Members are proud of the Plan and what the Council is delivering. Councillor Butland thanked Cabinet colleagues for the work that has been done and the Officers and the teams behind it.

DECISION: The Cabinet noted the Council's Plan for the District entitled "Bouncing Back Together" for the 18 month period from October 2021 up to March 2023.

REASON FOR DECISION: The Annual Plan covers the period October 2021 up to March 2023 and proposes the Council's actions and performance measures to support the delivery of the Corporate Strategy 2020 – 2024. 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.

34 **SECOND QUARTER PERFORMANCE MANAGEMENT REPORT 2021/22**

INFORMATION: Consideration was given to the Council's Second Quarter Performance Management Report for the period 1st July 2021 to 30th September 2021.

It was noted that as restrictions started to be lifted, good progress was being made in delivering the actions of the Annual Plan which covered the period up to 30th September 2021.

As at the end of September, a total of 27 projects were completed with 24 projects on track and progressing well. Two projects were currently in amber status due to construction delays. For those projects that were not completed, they will either be

carried over for delivery through the next plan 'Bouncing Back Together' (during the period October 2021 to March 2023) or will be delivered through business as usual activity.

Targets had not been set for all performance indicators in 2020/21 due to the disproportionate impact of the pandemic. However, for those that remained, seven performance indicators had met or exceeded their target and six performance indicators had missed their target. The two areas that missed their target by less than 5% are in relation to the percentage of invoices paid within 30 days and the collection rate for Council Tax. Four performance indicators had missed their target by more than 5% and these were the percentage of land that falls below cleanliness standards for litter, average waiting time for disability grants, average call answering time in the Customer Service Centre and the collection rate for Business rates.

Key achievements in the second quarter include:

- A further 99 affordable homes were delivered in the second quarter bringing the total delivered so far in 2021/22 to 190.
- The redevelopment of the entrance of Witham Town Park was completed, providing improved accessibility and public realm.
- The Climate Change Strategy and Cycling Strategy were unanimously agreed at Full Council.
- The Council launched the new community tree and bulb planting initiative, enabling the planting of 18,600 native trees and 73,000 bulbs across the District with good take up particularly by Parish Councils.
- The Coggeshall Neighbourhood Plan was adopted following a positive referendum and Council decision, bringing the total number of Neighbourhood Plans to five. There are a further eight Neighbourhood Plans going through the process.
- The main infrastructure has been completed at Horizon 120, providing two new access roads from the A131 and a central spine road. The business park is also connected to power, data, water, sewage and gas systems and the landscaping is also complete.
- The popular monthly street market in Braintree town centre was re-launched and the first market since the start of the pandemic took place in August. There was also the very successful Christmas lights switch on event that took place on 20th November 2021.
- Leisure centres across the District were able to increase capacity in their gyms, group exercise programmes, swimming pools and swim school programmes in a phased approach and although some restrictions still apply, participation levels are steadily increasing.

The financial part of the report provided an update on the position for the year. It examined the latest forecast for spending on day-to-day service provision compared to the budget for the year, a summary of treasury management activities, projected movements on the General Fund balance and a summary of spending to date on capital projects. The report provided a brief commentary on the impact of the coronavirus pandemic on the Council's budget position.

The outturn financial position for the quarter showed that after taking into account the projected impact of Covid and variations to the base budget, the net budget position forecast for the year was a positive variance of £383,000. The estimated budget impact of the pandemic in 2021/22 was £915,000 which was expected to be offset by funding received from Government. After taking into account other planned movements in balances, the projected change in General Fund unallocated balances was a reduction of £253,000. Expenditure on capital projects during the first half of the year was £15.525 million which related mainly to spending on the Horizon 120 Business Park, I-Construct, the Manor Street regeneration scheme, town centre improvements and the Halstead Leisure Centre artificial grass pitch. Investment income is projected to be £809,000 for the year, which is £100,000 better than projected in the original budget. This was due to short term and long term pooled funds doing better than what was anticipated in February.

Recognition was given to the number of working days lost to sickness per Council employee, being 11% better than budget.

Councillor Mrs Spray will respond in writing to Councillor Abbott's request for clarification relating to the cumulative number of 540 homes being granted planning permission in the District and if this number would change once the Council has adopted the Local Plan. The reply would also be sent to Cabinet Members and other Group Leaders.

Councillor Bowers brought to Members attention that the target for affordable homes had increased from 150 homes per year to 500 homes over two years, as delivery of these properties had gone from strength to strength.

Councillor Butland was pleased to report that the number of people claiming out of work benefits in the District is below the average for Essex. The Council will do what it can to help get people back into work.

DECISION: The performance of the Council for the second quarter (July 2021 to September 2021) was noted.

REASON FOR DECISION: The purpose of the report is to summarise the performance of Braintree District Council at the end of the second quarter (July 2021 to September 2021).

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****A JOINT PARKING PARTNERSHIP FOR NORTH ESSEX**

Minutes Published: 6th December 2021 Call-in Expires: 13th December 2021

INFORMATION: In April 2011, the Council joined the North Essex Parking Partnership (NEPP) whose primary role was to manage the On-Street Civil Parking Enforcement arrangements on behalf of Essex County Council (ECC) via a Joint Committee. Together with the Council, the NEPP comprised of representatives from Essex County Council, Colchester Borough Council, Tendring District Council and Uttlesford District Council, with Colchester as the Lead Authority. The original term of the joint agreement was for a seven year contract with an extension period of four

years (11 years in total). On 1st April 2018, the four year extension became operational and was due to expire on 31st March 2022.

Over the last six months, discussions had taken place between officers of the NEPP, the South Essex Parking Partnership (SEPP), Essex Highways and the Partner Authorities to shape a new contract which builds on the success of the Joint Committee and incorporates the innovative use of technology to maximise efficiency.

On 21st September 2021, ECC's Cabinet had approved the new Joint Committee arrangements with NEPP and SEPP from 1st April 2022 for a five year period with the option of extending the contract on an annual basis on three consecutive occasions (eight years in total to 2030). These arrangements were then considered at the NEPP Joint Committee meeting on 28th October 2021 where each Partner Authority agreed to refer the proposals to their respective Authorities for formal consideration and approval. Subject to approval, Colchester Borough Council would continue to be the Lead Authority and the Partner Authorities will remain unchanged. All participating Authorities would need to sign a Joint Committee Partnership Agreement that details the arrangements of the service and each Partner Authority's financial and operational responsibilities.

The Joint Committee would continue to be responsible for all the functions entailed in providing a joint parking service. This includes back-office operations, parking enforcement, strategy and policy development, signage and lines, Traffic Regulation Orders (TROs), On-Street charging policy that falls within the remit of Local Authorities, considering objections made in response to advertised TROs, and car-park management.

The Council's existing Off-Street Parking Service Level Agreement (SLA) with Colchester Borough Council would expire concurrently with the arrangements in place under the Joint Committee on 31st March 2022. The Council had been negotiating a new SLA that would allow for services to continue in line with the current arrangements.

The NEPP and Partner Authorities were considering new operating arrangements. As part of this, a percentage of any unallocated surpluses would be permitted to be transferred to ECC to spend on highway priorities. Concern was raised that should the new Joint Committee move forward on this basis, control over any identifiable surplus would be lost, and that the monies would be spent on projects outside of the Braintree District. Clarification was required from ECC to find out if they would consider an alternative model for dealing with unallocated surpluses that would allow the Local Highway Panels to determine how the funds were spent in their respective areas.

For the Off-Street Parking SLA the base budget in 2021/22 was £182,000 and for 2022/23 the budget will be £185,000. The Council has been reviewing the service requirements in conjunction with the NEPP from April 2022. No significant change in the operational requirements for the Council is expected. Over the term of the SLA, the total costs will be in the region of £936,500, but may be less if the NEPP decided to withdraw from the office at George Yard multi storey car park. Due to the flexible arrangement that the Council has with the NEPP, some variations in the service

requirements are allowed. This would be discussed as part of the annual review of the SLA and its cost in line with existing arrangements.

Concern was raised about cars parking on pavements that can cause complete obstruction of pavements forcing people to walk in the road or on private land. It is appreciated that this is more likely to occur in rural areas with very narrow streets, as otherwise it is possible that through traffic (including emergency vehicles and refuse lorries) could be obstructed. This issue has been discussed frequently by the NEPP and they are waiting for the Government to make a decision.

DECISION: That Cabinet:

- 1) Agreed the Council's continued membership of the North Essex Parking Partnership (NEPP) Joint Committee with effect from 1 April 2022 up to and including 31st March 2027.
- 2) Agreed that the Cabinet Member for Environment will write to Essex County Council to consider an alternative model for dealing with unallocated surpluses in relation to Part 3 of the proposed operating model that would allow the Local Highway Panels to determine how funds are spent in their respective areas.
- 3) Agreed to delegate authority to the Corporate Director (Operational) in consultation with the Cabinet Member for Environment to:
 - a) Approve the new Parking Partnership Joint Committee Agreement; and
 - b) Approve the new Off-street Parking Service Level Agreement with Colchester Borough Council for services relating to the Council's Public Car Parks with effect from 1st April 2022 in accordance with paragraphs 4.7 – 4.10 of the report set out in the Agenda.

REASON FOR DECISION: Cabinet agreement was required to continue the Council's membership of the NEPP Joint Committee from 1st April 2022 and to renew the Service Level Agreement with the NEPP for the provision of off-street parking.

The meeting commenced at 7.15pm and closed at 8.32pm.

COUNCILLOR G BUTLAND
(Leader of the Council)