

Minutes

Cabinet

3rd February 2014



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 (Chairman)	Yes
People and Participation	Councillor Mrs J Beavis	Yes
	Councillor P Tattersley	Yes
Performance and Efficiency	Councillor D L Bebb	Yes
	Councillor J T McKee	Yes
Place	Councillor Mrs W Schmitt	Yes
	Councillor R G S Mitchell	Yes
Planning and Property	Councillor Lady Newton	Yes
	Councillor J O'Reilly-Cicconi	Yes
Prosperity and Growth	Councillor C Siddall (Deputy Leader of the Council)	Yes

Also present as invitees of the Leader:

Councillor Abbott	Leader of the Green Group
Councillor Barlow	Leader of the Labour Group
Councillor Dr Evans	Chairman of the Overview and Scrutiny Committee

Councillors Canning, Fincken, Mann, Parker, Ramage and Spray were also in attendance.

63. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

- Councillors Abbott, Butland, and Lady Newton declared Non Pecuniary Interests in Agenda item 6a, Integrated Commercial and Domestic Refuse and Recycling Collections, as members of Essex County Council (ECC) as references were made to ECC during the debate;
- Councillors Abbott, Butland and Dr Evans declared Non Pecuniary Interests in Agenda item 7a, Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 Update in relation to the Localism Fund

(Updated 11/2/14)

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as members of Rivenhall Parish Council, Great Notley Parish Council and Witham Town Council respectively;

- Councillor Beavis declared Non Pecuniary Interests in Agenda item 7a, Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 Update in relation to the Localism Fund as a member Sible Hedingham Parish Council, and Clerk to Gosfield, and Greenstead Green and Halstead Rural Parish Councils;
- Councillor Beavis declared a Non Pecuniary Interest in Agenda item 7a, Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 Update in relation to a Capital bid from Gosfield Parish Council as Clerk to the Parish Council;
- Councillor McKee declared Non Pecuniary Interests in Agenda item 7a, Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 Update as a Director Trustee of Braintree District Museum and a Director of Ignite;
- Councillor Siddall declared Non Pecuniary Interests in Agenda item 7a, Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 Update as a Director Trustee of Braintree District Museum and a Director of Ignite, as the Council's representative on both organisations.

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

64. **QUESTION TIME**

INFORMATION: Two statements were made and/or questions asked details of which are listed in the Appendix to these minutes.

65. **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 9th December 2013 be approved as a correct record and signed by the Chairman.

66. **LEADER'S UPDATE**

There were no updates from the Leader.

67. **COUNCIL BUDGET AND COUNCIL TAX 2014-15 AND MEDIUM-TERM FINANCIAL STRATEGY 2014-15 TO 2017-18 UPDATE**

INFORMATION: Members agreed to focus on issues which had emerged during scrutiny of the Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 Update report at the meeting of the Overview and Scrutiny Committee on 29th January 2014.

(Updated 11/2/14)

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Councillor Bebb, Cabinet Member, Performance and Efficiency, reported that the figures in the report required change due to the recent finalisation of the estimate of retained Business Rates resulting in a net reduction of £34,682. Further changes may be required when the final Settlement Funding Assessment for 2014-15 is received from the Government within the next two weeks. Members agreed that these changes be met from the unallocated balance.

Allotment Rental Fees

Councillor Schmitt, Cabinet Member, Place, reported on the results of consultation on proposed allotment rental fee increases. In response to consultation, Councillor Schmitt recommended to Cabinet that the proposed increases in allotment rental fees are fixed and phased in over a three year period. This would increase charges per square metre from 26 pence to 30 pence in year 1 (2014/15), to 35 pence in year 2 (2015/16) and to 40 pence in year 3 (2016/17). Members agreed to the recommendation and that the reduction in funds resulting from the proposed budget change be met from the unallocated balance.

Blue Badge Holder Parking

In response to information sought at the meeting of the Overview and Scrutiny Committee in relation to proposals to charge blue badge holders for car parking, Councillor Mitchell, Deputy Cabinet Member, Place, advised that the Braintree Access Group, with whom consultation had taken place, has around 10 members comprising individuals and others representing organisations with an interest in disability issues. The Group has confirmed that it wishes to work with the Council in ensuring that the future design of car parks fully meets disability requirements. However, 5 out of the 8 comments received from the group expressed concern over the introduction of charging for blue badge holders.

Councillor Barlow described the difficulties which some people with disabilities have in needing extra time to visit town centres. Councillor Barlow suggested that the Council considers allowing blue badge holders to have a free hour in recognition of their additional time needs. Councillor Barlow cited Westminster Council as an example of a Council allowing a concessionary hour to blue badge holders in recognition of the mobility difficulties of some holders.

Councillor Butland, Leader of the Council, said he was quite persuaded to look at the issue raised by Councillor Barlow. Members agreed that Councillor Mitchell, in consultation with the Access Group, should consider the issue of allowing a concessionary hour for blue badge holders.

Witham River Walk

At the meeting of the Overview and Scrutiny Committee, Councillor Lager had queried a Capital bid he had made for bridge replacement on Witham River Walk as set out in Appendix K of the report.

The Leader reported that the River Walk had been leased by Braintree District Council

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to Witham Town Council in April 2005 for a 25 year period. The lease includes the management and maintenance of the cycleways, pathways and bridges along the route. A commuted sum of £70,400 (being four times the annual revenue maintenance budget of £17,600) was paid to the Town Council at the time. Over the remaining lease period of 16 years, it is the responsibility of the Town Council to maintain the River Walk, including the bridges, and therefore, Braintree District Council will not be making a capital provision for this.

Capital Bids from Members

Councillor Abbott suggested that Members have a greater input to decision making on capital bids submitted by Members. Cabinet Members agreed to consider this suggestion.

DECISION:

That it be recommended to Council that the following be approved:

1. The budget variations to the current base budget as detailed in Section 4 of the report;
2. The savings as detailed in Appendix B (updated version attached to these minutes);
3. The Priority Areas Investment bids, ongoing and for one-off expenditure detailed in Appendix A;
4. The New Burdens Grant of £87,076 to be received in 2014/15 be held in an earmarked reserve, to be utilised in respect of the Local Council Tax Support scheme as authorised by the Cabinet Member for Planning and Property;
5. The Council Tax Freeze grant receivable from the Government in 2014/15 be accepted;
6. The Council's discretionary fees and charges for 2014/15 as detailed in Appendix C;
7. The Council's housing rents and service charges are increased by 3.7% for 2014/15, as detailed in Appendix C;
8. 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;
9. The Council agrees to take on ownership of the former DC Leisure Pension Fund liabilities and assets, providing an estimated net additional deficit of £365,000;
10. Discretionary council tax discounts and exemptions for 2014/15 of:

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- Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
 - Discount applicable to vacant dwellings is set at 0% for the six month period;
 - Discount applicable to second homes is set at 0%;
 - Empty Homes Premium charged on dwellings vacant for over two-years be set at 0%;
11. The Council's Pay Policy for 2014/15 as detailed in Appendix F;
 12. An allocation of £485,518 from the General Fund unallocated balance in 2014/15; (updated at meeting).
 13. The New Homes Bonus allocation for year 4 is added to the New Homes Bonus earmarked reserve;
 14. Transfers between earmarked reserves and back to the Unallocated Balance in 2013/14 and estimated drawdown from earmarked reserves for 2014/15 as detailed in Appendix J;

Capital

15. The General Fund Capital bids for 2014/15 listed in Appendix L;

Treasury Management

16. The Prudential Indicators and limits set out in Appendix N;
17. The Policy on Minimum Revenue Provision as recommended in Appendix N;
18. The Treasury Management Strategy, including annual investment strategy, for 2014/15 (Appendix N);

Council Tax

19. The proposed estimates (producing a budget requirement for council tax purposes of £14,714,468) as detailed in Appendix G and the Council Tax for 2014/15 of £159.57 for a Band D property, having taking into consideration:
 - The consultation feedback received;
 - 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

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the adequacy of balances (Appendix P to the report).

REASON FOR DECISION: To determine the budget and Council Tax level proposals for 2014/15 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

68. **INTEGRATED COMMERCIAL AND DOMESTIC REFUSE AND RECYCLING COLLECTIONS**

DECISION:

1. That the service changes outlined within the report be approved.
2. That a share of the savings requested by Essex County Council be approved.
3. That the proposal for the Council to build a combined vehicle and plant workshop at Unit 9 Lakes Industrial Park, Braintree, be endorsed.

REASON FOR DECISION: To increase customer satisfaction and maximise the financial and operational efficiency of the waste collection service.

69. ****REVIEW OF OFF-STREET CAR PARKING**

Minutes Published: 7 th February 2014 Call-in Expires: 17 th February 2014

INFORMATION: Members noted that use of the Eckard House site, Witham, as a car park is dependent on planning permission being granted.

The Chief Executive advised that if it is decided that blue badge holders should be given an additional hour for parking, or a similar option, this would be a variation to the Action Plan (Decision below) and an executive decision for the Cabinet Member.

DECISION:

1. That the Operational Plan and Action Plan for the future management and operation of the Council's car parks over the next 3 years be approved and authority be delegated to the Cabinet Member, Place, and Corporate Director to vary the Action Plan as required.
2. That the parking tariff and structure as set out in Section 5 and Appendix D of the report be agreed.
3. That the extension of the 10p after 3 car parking concession for a further 12 months (to 31 March 2015) valid from 3pm to 6.59pm; and the introduction of a new concession to park at Station Approach, Braintree, for £3.00 per day (Mon-Fri) for a six month period be agreed.
4. That dependent on planning permission being granted, authority be

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delegated to the Cabinet Member, Place and Corporate Director to determine an appropriate parking tariff for the new car park at Eckard House, Witham, once this becomes available.

REASON FOR DECISION: To ensure the provision of well-maintained car parking facilities, at reasonable cost to users, that meet the needs of customers over the next three years.

70. **STRATEGIC RISK MANAGEMENT**

DECISION: That the draft Strategic Risk Register and the Action Plans for managing the high rated risks, as detailed in Appendix B to the report, be agreed.

REASON FOR DECISION: To demonstrate that the Council regularly identifies the strategic risks, which may affect the achievement of its objectives, and actively manages them, as appropriate.

71. **CABINET MEMBERS' UPDATES**

INFORMATION: There were no updates

72. **REFERENCES FROM COUNCIL/COMMITTEES/GROUPS**

GOVERNANCE COMMITTEE, 15TH JANUARY 2014 - TREASURY MANAGEMENT STRATEGY STATEMENT

DECISION: That it be the Committee's recommendation to approve the proposed amendments to the Treasury Management Strategy Statement be agreed as incorporated into the Council Budget and Council Tax 2014-15 and Medium-Term Financial Strategy 2014-15 to 2017-18 recommendations to Council.

REASON FOR DECISION: To demonstrate appropriate scrutiny of the Council's Treasury Management Strategy Statement prior to approval by Council.

73. **DELEGATED DECISIONS**

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.

The meeting commenced at 7.15pm and closed at 8.30pm.

G BUTLAND
(Leader)

(Updated 11/2/14)

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Cabinet 3rd February, 2014, Questions Asked/Statements Made

Speaker	Subject
Richard Playle Chairman, Witham Allotment and Leisure Gardeners Association.	Increase in Allotment Rents.
Richard Pilbrow Plotholder, Cut Throat Lane Allotments, Witham, and Secretary of Witham Allotment and Leisure Gardeners Association.	Increase in Allotment Rents.

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