

# Council AGENDA

**Monday 21st February 2022 at 7.15pm**

**Council Chamber, Braintree District Council, Causeway House,  
Bocking End, Braintree, CM7 9HB**

**This meeting is a public meeting. The Council is continuing to maintain social distancing at all its public meetings. In order to ensure the safety of everyone involved, members of the public are recommended to watch the meeting live via the Council's YouTube channel and not attend the venue unless they are participating in the meeting or have been advised to do so by the Governance Team.**

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**Members of the Council are requested to attend this meeting to discuss the business set out in the Agenda.**

**Membership:-**

Councillor J Abbott	Councillor H Johnson	Councillor Mrs W Schmitt
Councillor J Baugh	Councillor A Kilmartin	Councillor P Schwier
Councillor Mrs J Beavis	Councillor W Korsinah	Councillor Mrs G Spray
Councillor K Bowers	Councillor D Mann	Councillor P Tattersley
Councillor G Butland	Councillor T McArdle	Councillor P Thorogood
Councillor J Coleridge	Councillor J McKee	Councillor N Unsworth
Councillor G Courtauld	Councillor A Munday	Councillor R van Dulken
Councillor Mrs M Cunningham	Councillor Mrs I Parker	Councillor D Wallace
Councillor T Cunningham	Councillor Mrs J Pell	Councillor T Walsh
Councillor C Dervish	Councillor I Pritchard	Councillor L Walters
Councillor P Euesden	Councillor M Radley	Councillor Miss M Weeks
Councillor T Everard	Councillor S Rehman	Councillor D White
Councillor Mrs D Garrod	Councillor F Ricci	Councillor Mrs S Wilson
Councillor A Hensman	Councillor B Rose	Councillor J Wrench
Councillor S Hicks	Councillor J Sandum	Councillor B Wright
Councillor P Horner	Councillor V Santomauro	
Councillor D Hume	Councillor Mrs W Scattergood	

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

A WRIGHT  
Chief Executive

**INFORMATION FOR MEMBER – DECLARATIONS OF MEMBERS' INTERESTS**  
**Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI)**  
**or Non-Pecuniary Interests (NPI).**

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

**Public Question Time - Registration and Speaking:**

The Agenda allows for a period of up to 30 minutes for Public Question Time. Members of the public may ask questions of the Council on any matter in relation to which the Council has powers or duties or which affect the district.

Members of the public wishing to participate are requested to register by contacting the Governance and Members Team by email ([governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)) by **midday on the second working day** before the day of the Committee meeting. For example, if the Committee meeting is due to be held on a Tuesday, the registration deadline is midday on Friday, (Where there is a bank holiday you will need to register by midday the previous Thursday).

Public Question Time Speakers may participate in person, choose to participate virtually, or ask for their statements to be read out by an Officer. The Speaker preference must be indicated upon registration.

The Council reserves the right to decline any requests to register for Public Question Time if they are received after the registration deadline.

All questions or statements should be concise and should be able to be heard within the 3 minutes allotted to each speaker.

The Chairman of the Committee has discretion to amend the order in which questions/statements are presented to the Committee.

**Public Attendance at Meeting:**

Public attendance is welcomed, but is subject to restrictions due to the Council's arrangements for keeping Causeway House Covid secure and visitors safe.

Public attendance limited and will be on a first come first served basis with priority given to any Public Registered Speakers. In order to maintain safe distances, the Council may have to refuse entry to members of the public. The public may not be able to sit in the Council Chamber. If this is the case, members of the public will be able to observe the meeting from a public gallery through a large monitor.

Alternatively, the Council's meetings are all webcast and are available via the Council's YouTube channel and can be viewed by the public as a live broadcast or as a recording following the meeting.

Public Speakers and public attendees are required to attend on their own, and where possible, only one representative of any community group, family household or company should attend. Members of the public intending to come to the meeting venue to observe the meeting are recommended to contact the Governance and Members Team to reserve a seat within the public gallery.

The Council request Members of the public to use face coverings, unless an exemption's applies, as they move around the venue and when using communal areas. Once seated, face coverings can be removed. Please do not attend the meeting if you are feeling unwell. The Council would recommend that anyone who is intending to attend the meeting take a lateral flow test on the morning of the meeting. This will help to protect you and others.

**Health and Safety:**

Any person attending meetings are requested to take a few moments to familiarise themselves with the nearest available exit, indicated by the fire evacuation signs. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by Officers. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

**Mobile Phones:**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

**Webcast and Audio Recording:**

Please note that this meeting will be webcast and will be available on the Council's YouTube channel.

**Documents:**

Agendas, Reports, Minutes and Public Question Time questions and statements can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

**Data Processing:**

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**Your Comments:**

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

<b>PUBLIC SESSION</b>		<b>Page</b>
<b>1</b>	<b>Apologies for Absence</b>	
<b>2</b>	<b>Declarations of Interest</b>  To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.	
<b>3</b>	<b>Minutes of the Previous Meeting</b> To approve as a correct record the minutes of the meeting of the Full Council held on 13th December 2021 (copy previously circulated).	
<b>4</b>	<b>Public Question Time</b> (See paragraph above)	
<b>5</b>	<b>To receive any announcements/statements from the Chairman and/or Leader of the Council.</b>	
<b>6</b>	<b>Presentation to Chris Fleetham, Corporate Director</b> Full Council to make a presentation to Chris Fleetham, Corporate Director.	
<b>7</b>	<b>Appointment of Chief Financial Officer (S151 Officer)</b>	<b>6 - 8</b>
<b>8</b>	<b>Process for the appointment of External Auditors 2023 24 to 2027 28</b>	<b>9 - 17</b>
<b>9</b>	<b>Council Budget and Council Tax 2022/2023 and Medium Term Financial Strategy 2022/23 to 2025/26</b>  Members are requested to bring to this meeting the Cabinet Report (Agenda Item 5 - Council Budget and Council Tax 2022/23 and Medium-Term Financial Strategy 2022/23 to 2025/26) - The bound report previously circulated to all Councillors.  1) Recommendation from Cabinet - 7th February 2022 - Council Budget and Council Tax 2022/2023 and Medium Term Financial Strategy 2022/23 to 2025/2026.  2) Addendum Report to the Council Budget and Council Tax 2022/23 and Medium-Term Financial Strategy 2022/23 to 2025/26 and Recommendations from Cabinet.  3) Council Tax Resolution 2022/23 - Report to follow.	<b>18 - 20</b>  <b>21 - 23</b>

Following the presentation of the Cabinet's report to Full Council, the Chairman will invite Councillors to ask questions of the Cabinet.

Any Councillor may ask up to two questions, the Leader of the Opposition may ask up to four questions which relate to the functions of the Leaders or Cabinet Members, the powers and duties of the Council or matters pertaining to the District. Questions are not restricted to the contents of the Cabinet's reports.

Where a verbal response cannot be given at the meeting a written response will be issued to all Councillors within 10 working days of the meeting.

A period of up to 1 hour is allowed for this item. (Council Procedural Rule 12.13 applies).

## **PRIVATE SESSION**

There is no business for private session.

<b>Report Title:</b> Appointment of Chief Financial Officer (S151 Officer)	
<b>Report to:</b> Full Council	
<b>Date:</b> 21 <sup>st</sup> February 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b>
<b>Report Presented by:</b> Councillor Graham Butland, Chairman of the Appointments Committee	
<b>Enquiries to:</b> Andy Wright, Chief Executive	

## **1. Purpose of the Report**

- 1.1 To appoint the Council's Chief Financial Officer (Section 151 Officer) in accordance with statutory provisions and the Council's Constitution.

## **2. Recommendations**

- 2.1 That Philip Myers, Head of Financial Services is appointed as Braintree District Council's (the Council's) Chief Financial Officer (Section 151 Officer) with effect from the 22<sup>nd</sup> February 2022.
- 2.2 Authority delegated to the Monitoring Officer to make any consequential amendments to the Constitution to reflect this appointment.

## **3. Summary of Issues**

- 3.1 The current Chief Financial Officer (Section 151 Officer) Chris Fleetham, Corporate Director is retiring, and his last working day will be on 24<sup>th</sup> February 2022.
- 3.2 The Local Government Act 1972 requires every Local Authority to appoint a suitably qualified responsible officer for the proper administration of its financial affairs. This role is commonly referred to as the S151 Officer who as outlined in the Council's Constitution is responsible for:
- (a) After consulting with the Head of Paid Service and the Monitoring Officer, the Section 151 Officer will report to the Full Council or to the Cabinet in relation to an executive function and the Council's external Auditor if, they consider that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
  - (b) The administration of the financial affairs of the Council, and ensure maintenance of an efficient and effective internal audit function.

- (c) To contribute to the corporate management of the Council through the provision of professional financial advice.
  - (d) To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework to all Councillors and will support and advise Councillors and Officers in their respective roles.
  - (e) Provide financial information to the media, members of the public and the community.
- 3.3 Section 113 of the Local Government Finance Act 1988 requires that the Officer appointed as the Chief Finance Officer (Section 151 Officer) must be a member of a specified Accountancy Body.
- 3.4 Philip Myers was appointed as the Council's Head of Finance on 1<sup>st</sup> September 2021 and has worked for the Council for 40 years. He has been a qualified Accountant since 1991 and has the relevant expertise and experience to carry out the role. Since his appointment as Head of Finance, he has been shadowing the current Chief Financial Officer (Section 151 Officer) in the execution of those statutory duties falling to the role.
- 3.5 In accordance with the Constitution, the Appointment Committee was convened on 7<sup>th</sup> February 2022 to consider the appointment and to make a recommendation to Full Council. It is the recommendation of the Appointment Committee to appoint Phillip Myers, Head of Financial Services as the Council's Chief Finance Officer (Section 151 Officer).

#### **4. Options**

- 4.1 The Council must have a Chief Financial Officer (S151 Officer) in place; therefore it is recommended that Philip Myers is appointed to that role accordingly.

#### **5. Financial Implications**

- 5.1 The appointments of statutory officers attract an allowance of £2,000, and this will be met from existing budgets.

#### **6. Legal Implications**

- 6.1 These are set out in Section 3 of the report. The only restriction on the appointment of the Chief financial Officer (Section 151 Officer) is that they must not also hold the statutory role of the Monitoring Officer.
- 6.2 Following the meeting of the Appointment Committee, consultation was carried out with the Cabinet in accordance with paragraph 18.6 of the Consultation and no objection has been received to this recommended appointment.

**7. Other Implications**

7.1 None identified

**8. Equality and Diversity Implications**

8.1 None identified

**9. Background Papers**

9.1 Local Government Act 1972

9.2 Local Government Finance Act 1988

9.3 Braintree District Council's Constitution

9.4 [Appointment Committee – 7<sup>th</sup> February 2022](#)



<b>Report Title:</b> Process for the appointment of External Auditors 2023/24 to 2027/28	
<b>Report to:</b> Council	
<b>Date:</b> 21 <sup>st</sup> February 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/38
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Phil Myers, Head of Finance, phil.myers@braintree.gov.uk	

## **1. Purpose of the Report**

- 1.1 This report sets out proposals for appointing the external auditor for the Council's accounts for the five-year period from 2023/24.
- 1.2 The Council is asked to consider the options for procuring the external auditors and agree the preferred approach.

## **2. Recommendations**

- 2.1 That Council:
  - 2.1.1 Approves the decision to accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors for the five financial years commencing from 1 April 2023; and
  - 2.1.2 Delegates authority to the Council's Responsible Finance Officer (S151 Officer), in consultation with the Cabinet Member for Finance and Corporate Transformation, to consider and, if appropriate, to make representation on behalf of the Council to a proposed external auditor appointment by the PSAA.

## **3. Background**

- 3.1 The current Auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. The Council opted into the 'appointing person' national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23.
- 3.2 The PSAA is now undertaking a procurement for the next appointing period, covering audits for 2023/24 to 2027/28. The Council needs to consider how it wishes to procure its external audit arrangements from 2023/24.

- 3.3 If the Council wishes to take advantage of the national auditor appointment arrangements, it is required under the local audit regulations to make the decision at Full Council. The opt-in period started on 22 September 2021 and closes on 11 March 2022. To opt into the national scheme from 2023/24, the Council needs to return the completed opt-in documents to PSAA by 11 March 2022.

#### **4. Procurement of External Audit for the period 2023/24 to 2027/28**

- 4.1 Under the Local Government Audit & Accountability Act 2014 (“the Act”), the Council is required to appoint an auditor to audit its accounts for each financial year. In doing so the Council has three options;
- To appoint its own Auditor, which requires it to follow the procedure set out in the Act.
  - To act jointly with other authorities to procure an Auditor following the procedures in the Act.
  - To opt in to the national auditor appointment scheme administered by a body designated by the Secretary of State as the ‘appointing person’. The body currently designated for this role is Public Sector Audit Appointments Limited (PSAA).
- 4.2 In order to opt into the national scheme, a Council must make a decision at a meeting of the Full Council.

#### **5. The Appointed Auditor**

- 5.1 The Auditor appointed at the end of the procurement process will undertake the statutory audit of accounts and Best Value assessment of the Council in each financial year, in accordance with all relevant codes of practice and guidance. The appointed Auditor is also responsible for investigating questions raised by electors and has powers and responsibilities in relation to Public Interest Reports and statutory recommendations.
- 5.2 The Auditor must act independently of the Council and the main purpose of the procurement legislation is to ensure that the appointed auditor is sufficiently qualified and independent.
- 5.3 The Auditor must be registered to undertake local audits by the Financial Reporting Council (FRC) and to employ authorised Key Audit Partners to oversee the work. At present there is currently a shortage of registered firms and Key Audit Partners.
- 5.4 Auditors are regulated by the FRC, which will be replaced by a new body with wider powers, the Audit, Reporting and Governance Authority (ARGA) during the course of the next audit contract.
- 5.5 Councils therefore have very limited influence over the nature of the audit services they are procuring, the nature and quality of which are determined or overseen by third parties.

## **6. Appointment by the Council itself or jointly**

- 6.1 The Council may elect to appoint its own external auditor under the Act, which would require the Council to establish an Independent Auditor Panel to make a stand-alone appointment.
- 6.2 The Auditor Panel would need to be set up by the Council itself, and the Members of the Panel must be wholly or a majority of Independent Members as defined by the Act. Independent Members for this purpose are independent appointees, excluding current and former elected members (or officers) and their close families and friends. This means that Elected Members will not have a majority input to assessing bids and choosing to which audit firm to award a contract for the Council's external audit.
- 6.3 The Council will then have to manage the contract for its duration, overseen by the Auditor Panel.
- 6.4 Alternatively, the Act enables the Council to join with other authorities to establish a Joint Auditor Panel. Again, this will need to be constituted of wholly or a majority of independent appointees. Further legal advice would be required on the exact constitution of such a Panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.

## **7. The national auditor appointment scheme**

- 7.1 PSAA is specified as the 'appointing person' for principal local government under the provisions of the Act and the Local Audit (Appointing Person) Regulations 2015. PSAA let the Councils five-year audit services contracts in 2017 for the first appointing period, covering audits of the accounts from 2018/19 to 2022/23. It is now undertaking the work needed to invite eligible bodies to opt in for the next appointing period, from the 2023/24 audit onwards, and to complete a procurement for audit services. PSAA is a not-for-profit organisation whose costs are around 4% of the scheme with any surplus distributed back to scheme members.
- 7.2 In summary the national opt-in scheme provides the following:
  - the appointment of a suitably qualified audit firm to conduct audits for each of the five financial years commencing 1 April 2023;
  - appointing the same auditor to other opted-in bodies that are involved in formal collaboration or joint working initiatives to the extent this is possible with other constraints;
  - managing the procurement process to ensure both quality and price criteria are satisfied. PSAA has sought views from the sector to help inform its detailed procurement strategy;
  - ensuring suitable independence of the auditors from the bodies they audit and managing any potential conflicts as they arise during the appointment period;
  - minimising the scheme management costs and returning any surpluses to scheme members;

- consulting with authorities on auditor appointments, giving the Council the opportunity to influence which auditor is appointed;
- consulting with authorities on the scale of audit fees and ensuring these reflect scale, complexity, and audit risk; and
- ongoing contract and performance management of the contracts once these have been let.

## **8. Pressures in the current local audit market and delays in issuing opinions**

- 8.1 Much has changed in the local audit market since audit contracts were last awarded in 2017. At that time the audit market was relatively stable, there had been few changes in audit requirements, and local audit fees had been reducing over a long period. 98% of those bodies eligible opted into the national scheme and attracted very competitive bids from audit firms. The resulting audit contracts took effect from 1 April 2018.
- 8.2 During 2018 a series of financial crises and failures in the private sector year led to questioning about the role of auditors and the focus and value of their work. Four independent reviews were commissioned by Government: Sir John Kingman's review of the Financial Reporting Council (FRC), the Audit Regulator; the Competition and Markets Authority review of the audit market; Sir Donald Brydon's review of the quality and effectiveness of audit; and Sir Tony Redmond's review of local authority financial reporting and external audit. The recommendations are now under consideration by Government, with the clear implication that significant reforms will follow. A new audit regulator (ARGA) is to be established, and arrangements for system leadership in local audit are to be introduced. Further change will follow as other recommendations are implemented.
- 8.3 The Kingman review has led to an urgent drive for the FRC to deliver rapid, measurable improvements in audit quality. This has created a major pressure for audit firms to ensure full compliance with regulatory requirements and expectations in every audit they undertake. By the time firms were conducting 2018/19 local audits during 2019, the measures they were putting in place to respond to a more focused regulator were clearly visible. To deliver the necessary improvements in audit quality, firms were requiring their audit teams to undertake additional work to gain deeper levels of assurance. However, additional work requires more time, posing a threat to the firms' ability to complete all their audits by the target date for publication of audited accounts. The growing scale of the challenge is illustrated by the recent figures that showed only 9% of local government bodies having had 2020/21 audits completed by the target publishing date, compared to 45% for 2019/20 audits and 57% for 2018/19 audits.
- 8.4 Delayed opinions are not the only consequence of the FRC's drive to improve audit quality. Additional audit work must also be paid for. As a result, many more fee variation claims have been needed than in prior years.
- 8.5 This situation has been accentuated by growing auditor recruitment and retention challenges, the complexity of local government financial statements

and increasing levels of technical challenges as bodies explore innovative ways of developing new or enhanced income streams to help fund services for local people. These challenges have increased in subsequent audit years, with Covid-19 creating further significant pressure for finance and audit teams.

- 8.6 None of these problems is unique to local government audit. Similar challenges have played out in other sectors, where increased fees and disappointing responses to tender invitations have been experienced during the past two years.
- 8.7 The PSAA procurement approach has been designed to assist with addressing these concerns by:
- ensuring that the procurement exercise brings fees into line with the audit work;
  - encouraging companies to bid for an appropriate size of work using an increase in the total number of lots and a reduction in size of the largest lots;
  - the inclusion of one or two lots specifically targeted at encouraging new entrants such as through joint arrangements with experienced suppliers; and
  - promoting audit quality through the adoption of an 80/20 weighting towards quality and price respectively, as compared to the previous process which applied a 50/50.

## **9. The invitation**

- 9.1 PSAA is now inviting Councils to opt in for the second appointing period, for 2023/24 to 2027/28. Based on the level of opt-ins it will enter into contracts with appropriately qualified audit firms and appoint a suitable firm to be the Council's auditor.
- 9.2 The PSAA consulted on a draft prospectus for the national scheme in June 2021, seeking views and comments from audited bodies and other stakeholders. The feedback from this engagement has now been reflected in the PSAA's prospectus and procurement strategy issued with the invitation.

## **10. The next audit procurement**

- 10.1 The prices submitted by bidders through the procurement will be the key determinant of the value of audit fees paid by opted-in bodies. PSAA will:
- seek to encourage realistic fee levels and to benefit from the economies of scale associated with procuring on behalf of a significant number of bodies;
  - continue to pool scheme costs and charge fees to opted-in bodies in accordance with the published fee scale as amended following consultations with scheme members and other interested parties (pooling means that everyone within the scheme will benefit from the prices secured via a competitive procurement process – a key tenet of the national collective scheme); and

- continue to minimise its own costs, around 4% of scheme costs, and as a not-for-profit company will return any surplus funds to scheme members. In 2019 it returned a total £3.5million to relevant bodies and in 2021 a further £5.6million was returned.
- 10.2 PSAA will seek to encourage market sustainability in its procurement. Firms will be able to bid for a variety of differently sized contracts so that they can match their available resources and risk appetite to the contract for which they bid. They will be required to meet appropriate quality standards and to reflect realistic market prices in their tenders, informed by the scale fees and the supporting information provided about each audit. Where regulatory changes are in train which affect the amount of audit work suppliers must undertake, firms will be informed as to which developments should be priced into their bids.
- 10.3 The scope of a local audit is fixed. It is determined by the Code of Audit Practice (currently published by the National Audit Office), the format of the financial statements (specified by the Chartered Institute of Public Finance and Accounting or CIPFA) and the application of auditing standards regulated by the FRC. These factors apply to all local audits irrespective of whether an eligible body decides to opt into PSAA's national scheme or chooses to make its own separate arrangements. The requirements are mandatory; they shape the work auditors undertake and have a bearing on the actual fees required.
- 10.4 There are currently nine audit providers eligible to audit local authorities and other relevant bodies under local audit legislation. This means that a local procurement exercise would seek tenders from the same firms as the national procurement exercise, subject to the need to manage any local independence issues. Local firms cannot be invited to bid. Local procurements must deliver the same audit scope and requirements as a national procurement, reflecting the auditor's statutory responsibilities.

## **11. Corporate Objectives**

- 11.1 By applying a robust procurement process to the appointment of external audit services which includes obtaining the benefits of participating in a national procurement scheme, the recommendations set out in this report will help the Council to deliver its Corporate Objectives of:
- being a high performing organisation that delivers excellent and value for money services; and
  - delivering better outcomes for residents and businesses and reducing costs to taxpayers.

## **12. Assessment of Options**

- 12.1 If the Council did not opt in there would be a need to establish an independent auditor panel to make a stand-alone appointment. The auditor panel would need to be set up by the Council itself, and the members of the panel must be wholly or a majority of independent members as defined by the Act. This means that elected members will not have a majority input to assessing bids

and choosing to which audit firm to award a contract for the Council's external audit.

- 12.2. The Council could seek to join with other authorities, if there was interest, to establish a joint auditor panel. Again, this will need to be constituted of wholly or a majority of independent appointees. Legal advice would be required on the exact constitution of such a panel having regard to the obligations of each authority. The Council would need to liaise with other local authorities to assess the appetite for such an arrangement. Indications from other Essex authorities are that most are looking to opt-in to the national arrangements.
- 12.3 Both of the above options would be more resource-intensive processes to implement for the Council, and without the bulk buying power of the sector-led procurement may result in a more costly service. It would also be more difficult to manage quality and independence requirements through a local appointment process. The Council is unable to influence the scope of the audit and the regulatory regime inhibits the Council's ability to affect quality.
- 12.4 There would be a need for the Council and its auditor panel to maintain ongoing oversight of the contract. Local contract management cannot, however, influence the scope or delivery of an audit.
- 12.5 The national offer provides the appointment of an independent auditor with limited administrative cost to the Council. By joining the scheme, the Council would be acting with other Councils to optimise the opportunity to influence the market that a national procurement provides.
- 12.6 The recommended approach is to opt into the national auditor appointment scheme. This is the recommendation of the Corporate Director (Finance). The Local Government Association's (LGA) view is that the national framework remains the best option for councils.
- 12.7 The Governance and Audit Scrutiny Committee considered the report at its meeting held on 13<sup>th</sup> January 2022, and fully endorsed the recommendations set out in Section 2.

### **13. Financial Implications**

- 13.1 Audit fee levels are expected to increase when current contracts end, irrespective of procurement approach. This is in part as a result of reduced capacity and sustainability in the local audit market. The scope of audit work has also increased as a result of the Audit Code of Practice issued by the National Audit Office (NAO), and from increased work required of auditors on property assets and pension fund liabilities from regulators. Proposals for the 2022/23 budget include an additional £20k per annum for audit fees. With annual inflation, the total budget proposed for 2022/23 is £84k.
- 13.2 The Government recently announced on 16<sup>th</sup> December 2021, that additional funding will be made available to councils in future to support further implementation of changes to the local auditing regime following the Redmond review which reported and made recommendations to government

in September 2020. Funding is for a package of measures to improve the timely completion of local audit as well as being aimed at improving transparency and accountability in councils.

- 13.3 A total of £45million over the next three years of the Spending Review 2021, along with £15million in the current year is being provided to councils. Details of the amount allocated to this Council is still awaited.
- 13.4 The estimated total value of a new external audit contract from April 2023 is estimated to be around £500k over the full five year term of the contract.
- 13.5 Opting into a national scheme provides maximum opportunity to ensure fees are as realistic as possible, while ensuring the quality of audit is maintained, by entering into a large scale collective procurement arrangement.
- 13.6 If the national scheme is not used some additional resource may be needed to establish an auditor panel and conduct a local procurement. Until a procurement exercise is completed it is not possible to state what, if any, additional resource may be required for audit fees from 2023/24.

#### **14. Legal Implications**

- 14.1 Section 7 of the Local Audit and Accountability Act 2014 requires a relevant Council to appoint a Local Auditor to audit its accounts for a financial year not later than 31 December in the preceding year.
- 14.2 Section 8 governs the procedure for appointment including that the Council must consult and take account of the advice of its Auditor Panel on the selection and appointment of a Local Auditor. Section 8 provides that where a relevant Council is a local Council operating executive arrangements, the function of appointing a Local Auditor to audit its accounts is not the responsibility of an executive of the Council under those arrangements.
- 14.3 Section 12 makes provision for the failure to appoint a Local Auditor. The Council must immediately inform the Secretary of State, who may direct the Council to appoint the Auditor named in the direction or appoint a Local Auditor on behalf of the Council.
- 14.4 Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a sector-led body to become the appointing person. In July 2016 the Secretary of State specified PSAA as the appointing person.

#### **15. Other Implications**

- 15.1 There are no other implications.

#### **16. Equality and Diversity Implications**



- 16.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 16.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 16.3 The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **17. List of Appendices**

- 17.1 None

## **18. Background Papers**

- 18.1 Public Sector Audit Appointments Invitation Letter to the Chief Executive (copied to the Section 151 Officer and Chair of the Governance and Audit Scrutiny Committee) – dated 22<sup>nd</sup> September 2021.
- 18.2 Letter from the Chairman of the Local Government Association to the Chief Executive (copied to the Section 151 Officer) – dated 23<sup>rd</sup> September 2021.
- 18.3 Local Audit and Accountability Act 2014
- 18.4 Local authority financial reporting and external audit: independent review - Independent review by Sir Tony Redmond into the effectiveness of external audit and transparency of financial reporting in local authorities.

<b>Report Title:</b> Minute Extract – Cabinet – 7 <sup>th</sup> February 2022 - Council Budget and Council Tax 2022-2023 and Medium-Term Financial Strategy 2022-23 to 2025-2026	
<b>Report to:</b> Full Council	
<b>Date:</b> 21 <sup>st</sup> February 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/37
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Phil Myers, Head of Finance <a href="mailto:phil.myers@braintree.gov">phil.myers@braintree.gov</a>	

1. This is a minute extract produced for the purpose of the Council Agenda. This minutes extract should be read together with the report to Full Council - [Council Budget and Council tax 2022-23 and Medium-Term Financial Strategy 2022-23 to 2025-26](#) (Budget Report).
- 1.2 This minute extract sets out the Cabinet's recommendations to Full Council approved on 7th February 2022 to meet the Council's publishing deadlines for Full Council. This report does not include those decisions which are solely a matter for Cabinet. The paragraph numbering within the minute extract corresponds with the paragraph numbering within the Budget Report
- 1.3 The [Minutes of Cabinet held on 7<sup>th</sup> February 2022](#) will be available on the Council's website after 14<sup>th</sup> February 2022 and will include a summary of the debate and other significant information necessary for the Council's record of decision making . The Cabinet Meeting is available to view via the Council's [YouTube channel](#)
2. **Minute Extract – Cabinet – 7<sup>th</sup> February 2022**  
[Council Budget and Council Tax 2022/23 and Medium -Term Financial Strategy 20023 to 2025-26](#)

*That it is **Recommended to Council** that the following be approved:*

- 2.1.1 *The budget variations to the current base budget and the additional income and cost reductions as detailed in [Section 7](#) of the main report;*
- 2.1.2 *The unavoidable revenue budget demands and new priority growth added to the Base Budget for 2022/23 of £559,490 as detailed in Section 7.7 of the main report (and shown in [Appendix C](#));*
- 2.1.3 *The unavoidable revenue budget demands and new priority growth required to meet one-off or time-limited expenditure in 2022/23 of £325k as detailed in Section 7.7 of the main report (and shown in [Appendix C](#)) and these to be funded from reserves as detailed;*

- 2.1.4 *The Braintree District Council's Local Council Tax Support Scheme for 2022/23 as detailed on the Council's website at [Local Council Tax Support Scheme](#);*
- 2.1.5 *The package of support to claimants experiencing difficulties as a result of the Local Council Tax Support scheme as detailed in [Section 11](#) of the main report;*
- 2.1.6 *The Council's discretionary fees and charges and housing rents for 2022/23 as detailed in [Appendix O](#).*
- 2.1.7 *Delegated authority is given to the appropriate Cabinet Members to determine the level of charges for Trade Waste collection, Environmental permits, core leisure, and planning pre-application advice service and street naming and numbering for 2022/23;*
- 2.1.8 *That delegated authority is given to the appropriate Cabinet Members to agree any in-year variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes during 2022/23;*
- 2.1.9 *The sum of £2,737,178 be transferred from the Business Rate Equalisation Reserve to offset the estimated deficit on the Business Rates Collection Fund as at 31 March 2022, which is required to be taken into account for the 2022/23 Budget.*
- 2.1.10 *To continue the Council's policy for Discretionary Business Rate Relief Schemes (under Section 47 of the Local Government Act 1988, as amended), as detailed in [Section 9.2](#) of the main report, for 2022/23:*
- 2.1.11 *To extend the Council's policy for Discretionary Business Rate Relief (under Section 47 of the Local Government Act 1988) to introduce a Retail, Hospitality and Leisure Business Rate Relief Scheme and Extension of Transitional Relief and Supporting Small Business Relief for small and medium properties for 2022/23 as recommended and funded by the Government, as detailed in [Section 9.2](#) of the main report and [Appendices L and M](#);*
- 2.1.12 *Discretionary council tax discounts and exemptions for 2022/23 are:*
- *Discount applicable to empty dwellings undergoing major repairs is set at Nil % for the twelve month period;*
  - *Discount applicable to vacant dwellings is set at Nil % for the six month period;*
  - *Discount applicable to second homes is set at Nil %;*
  - *Discretionary Council Tax Empty Homes Premiums charged on dwellings vacant for over two-years but less than five-years continue at 100%; on dwellings vacant over five-years but less than ten-years continue at 200%; and on dwellings vacant for over ten-years continue at 300%, and that that this is duly published in a local newspaper within 21 days from this decision. In addition, the refund arrangement, as detailed in Section 13 of the main report;*

- 2.1.13 The Council's Pay Policy for 2022/23 as detailed in [Appendix B](#) to the main, report, subject to the amounts of pay included being updated in line with the final agreed settlement for the cost of living award to be implemented with effect from 1<sup>st</sup> April 2021.
- 2.1.14 A transfer to the Revenue Account of £92,597 from the General Fund unallocated General Fund balance to meet the budget shortfall in 2022/23;
- 2.1.15 Establish the following new earmarked reserves: Planning Enforcement reserve; a single consolidated Climate Change Reserve; and a Recycling Income reserve;
- 2.1.16 The estimated movements on earmarked reserves as detailed in [Appendix E](#) to the main report, including the transfer of balances no longer required to the General Fund unallocated balance and unallocated New Homes Bonus;

### **Capital**

- 2.1.17 The Capital bids for 2022/23 listed in [Appendix H](#) to the main report;
- 2.1.18 A Disabled Facilities Grants programme to match the resources allocated to the Council from the Better Care Fund;

### **Capital and Investment Strategy and Treasury Management Strategy**

- 2.1.19 The Capital and Investment Strategy including the authorised borrowing limit, operational borrowing boundary, the policy on Minimum Revenue Provision and prudential indicators as detailed in [Appendix I](#) to the main report;
- 2.1.20 The Treasury Management Strategy including the schedule of counterparties and limits and prudential indicators as detailed in [Appendix J](#) to the main report;

### **Council Tax**

- 2.1.21 The proposed estimates (producing a Council Tax Requirement for the Council of £10,421,496) as detailed in [Appendix C](#) and the Council Tax rate for 2022/23 of £189.63 for a Band D property, having taken into consideration:
- The consultation feedback, if any, received and reported verbally at the meeting;
  - The assessment of risks in the budget assumptions;
  - The Equalities Impact Assessments and
  - The Section 151 Officer's report (Corporate Director – Finance) on the robustness of the estimates and adequacy of balances ([Appendix G](#) to the main report).

End of Minute Extract.

<b>Report Title:</b> Addendum to the Council Budget and Council Tax 2022/23 and Medium-Term Financial Strategy 2022/23 to 2025/26 Report	
<b>Report to:</b> Council	
<b>Date:</b> 21 <sup>st</sup> February 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/37
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Phil Myers, Head of Finance, <a href="mailto:phil.myers@braintree.gov.uk">phil.myers@braintree.gov.uk</a>	

## **1. Purpose of the Report**

- 1.1 To provide an update to the Council Tax Budget and Council Tax 2022/23 and Medium-Term Financial Strategy 2022/23 to 2025/26 report ('the Budget report') following receipt of the final Local Government Finance Settlement on 7<sup>th</sup> February 2022.
- 1.2 To update the relevant recommendation made by the Cabinet at its meeting held on 7<sup>th</sup> February 2022, to reflect the changes to funding in the final Local Government Finance Settlement.
- 1.3 The relevant recommendation is paragraph 2.1.14 as set out in the Minute Extract report (page of the agenda) and set out below

*2.1.14 A transfer to the Revenue Account of £92,597 from the General Fund unallocated General Fund balance to meet the budget shortfall in 2022/23;*

## **2. Recommendations**

- 2.1 That the Cabinet recommendation 2.1.14 is amended to reflect the changes in the final Local Government settlement replacing £92,597 with £89,494.
- 2.2 That Full Council approves the amended recommendation 2.1.14 as set out below:

*'A transfer to the Revenue Account of £89,494 from the General Fund unallocated General Fund balance to meet the budget shortfall in 2022/23;'*

### **3. Summary of Issues**

- 3.1 On 7<sup>th</sup> February 2022, the Secretary of State for Levelling Up, Housing and Communities confirmed the final Local Government Finance Settlement for 2022/23.
- 3.2 The settlement reaffirms the amounts that were set out in the provisional settlement for the Council, as published on 16<sup>th</sup> December 2021, except for the following items:
- A small increase in the amount of Lower Tier Services grant of £3,103, meaning that the revised amount for this grant to be received by the Council is £159,517.
  - A change in the compensation amount for under indexation by Government of the Rating Multiplier used to calculate business rates due from ratepayers. This change has no impact on the Council's proposed budget as the compensation has already been taken into account when calculating the estimated amount of Retained Business Rates as set out in Section 8 of the Budget report.
- 3.3 The Budget report considered by the Cabinet identified a shortfall in 2022/23 of £92,597, which due to the increased amount of Lower Tier Services grant will reduce to £89,494. The estimated shortfall was to be met from the unallocated General Fund balance.
- 3.4 There are no other changes to the budget as a result of this announcement.
- 3.5 The recommendations set out in this report will help the Council to deliver its Corporate Objective of 'Delivering better outcomes for residents and businesses and reducing costs to taxpayers'.

### **4. Options**

- 4.1 To agree the revised recommendation.

### **5. Financial Implications**

- 5.1 The final Local Government Finance Settlement for 2022/23 provides for an increase in the Lower Tier Services grant of £3,103, which means that to balance the budget a revised amount of unallocated General Fund balances is required to be used of £89,494.

### **7. Legal Implications**

No new legal implications from those set out in the Council Budget and Council Tax 2022/23 and Medium-Term Financial Strategy 2022/23 to 2025/26 report.

### **8. Other Implications**

None.

## **9. Equality and Diversity Implications**

- 9.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 9.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 9.3 The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **10. List of Appendices**

None.

## **11. Background Papers**

[Council Budget and Council Tax 2022-23 and Medium-Term Financial Strategy 2022/23 to 2025/26.](#)

<b>Report Title:</b> Cabinet's Report to Full Council	
<b>Report to:</b> Council	
<b>Date:</b> 21 <sup>st</sup> February 2022	<b>For:</b> Noting
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> N/A	

1. **Introduction**

This report covers the main activities of all Cabinet Members since the last ordinary meeting of full Council.

2. **Councillor Graham Butland - Leader of the Council**

Since the last meeting I have, or will have, attended the following external meetings:

- 17.12.21 DLUHC Secretary of State Webinar
- 22.12.21 Meeting with Mid & South Essex ICS
- 07.01.22 Covid 19 Local Outbreak Engagement Board
- 19.01.22 Essex Health & Wellbeing Informal Meeting
- 21.01.22 Meeting with Rt Hon James Cleverly MP
- 24.01.22 Meeting with members of Witham Town Council
- 26.01.22 Essex Health & Wellbeing Informal Meeting
- 28.01.22 i Construct Opening
- 01.02.22 Visit to Al Falah Braintree Islamic Centre
- 08.02.22 North Essex Leaders meeting
- 15.02.22 North Essex Leaders and Chief Executives meeting
- 21.02.22 Special Meeting of Essex Leaders and Chief Executives
- 21.02.22 DCN Assembly

At the meeting of the Full Council, I will make a statement on the publication of the Government's Levelling Up White Paper.

3. **Councillor John McKee – Cabinet Member for Finance and Corporate Transformation**

3.1 **Collection of Council Tax and Business Rates as at 31<sup>st</sup> December 2021**

Council Tax collection – 84.7% compared to 84.6% for 2020 and 86.2% for 2019. Target for the year is 98.3%. Amount collected £82.9m.



Business Rates collection – 81.8% compared to 82.0% for 2020 and 84.6% for 2019. Target for the year is 98.6%. Amount collected £31.2m.

Amount of Retail Relief and Nursery Relief (children) awarded was £8.3m. The rate of discount reduced from 100% to 66% from July which required businesses to be rebilled part-way through the year, initially impacting the collection rate, although performance in this area has now recovered almost back to levels achieved last year.

Collection rates have been consistently amongst the highest across Essex for both Council Tax and Business Rates in the current year.

### **3.2 Open Portal**

‘Open Portal’ has been created which can be used by taxpayers to view their Council Tax or Business Rates bills online rather than these having to be posted. This facility is now being promoted to increase take-up which will improve efficiency.

### **3.3 Housing Benefit Claims**

Housing benefit performance data for December showed that new benefit claims were being processed on average in 15.8 days compared to a target of 20 days; and change events were taking an average of 3.91 days against a target of 6 days.

### **3.4 NHS Track and Trace payments**

As at 31<sup>st</sup> December 2021, the Benefits Team had received a total of 3,564 applications from residents, who had been told by NHS Test and Trace to self-isolate for a payment of £500. A spike in claims was experienced in December with 581 new applications being received. Of the total applications received to date 1,529 received payments totalling £765,000, and 438 applications were awaiting further information being submitted before determining the claims.

### **3.5 Provisional Local Government Finance Settlement 2022/23**

The provisional Local Government Finance Settlement was announced on 16<sup>th</sup> December 2021, which is a single year settlement largely based on rolling over amounts from 2021/22. A new one-off, non-restricted grant is being proposed, a Services Grant, for which the Council has been allocated £240,000. Further detail on the announcement is set out in the Council Budget and Council Tax 2022/23 and Medium-Term Financial Strategy 2022/23 to 2025/26 Report.

A period of consultation on the proposed settlement was allowed for which I provided a response on behalf of the Council. At the time of writing, the final settlement figures were still awaited.

In January, Mark Jarvis joined as a Manager in the Financial Services team from Colchester Borough Council reporting to our Head of Finance, Phil Myers. He brings with him a depth of experience and financial skills that strengthen our strong Finance Department

### 3.5 Customer Services

The average call answering time for January was 12 seconds, with 93% of calls answered within 30 seconds. In the month of January, the Customer Service Centre (CSC) dealt with 8,845 calls, 870 emails and 3,373 online enquiries. The percentage of calls resolved at first point of contact in the Customer Service Centre is currently 76%.

The high volume of calls were due to missed bins during December and into January following issues with the super collections arranged. CSC were thanked by Operations for the support they provided in keeping customers up to date and explaining the situation. Customers were grateful of the information and a number of calls that were initially complaints were turned around and customers were happy with the responses provided.

The CSC now supports the Benefits Team in the issuing of food vouchers allowing the Benefits Team to focus on processing applications for test and trace payments.

With effect from 1<sup>st</sup> April 2022, customers will no longer be allowed to drop off cheques for collection at Libraries in Halstead and Witham. There are not many customers using this service and to ensure notice is provided, posters have been displayed in the libraries to inform customers to send cheques by post to Causeway House. All libraries will continue to distribute clear sacks for recycling to customers.

### 3.6 Performance and Improvement Team

The publication scheme that sets out our high-level commitment to proactively publish information has been reviewed and updated and is now published on our website. The classes of information required to be published are: Who we are and what we do, what we spend and how we spend it, what our priorities are and how we are doing, how we make decisions, our policies and procedures, lists and registers and the services we offer.

In January, the team received 68 FOI requests (the highest number received so far this financial year) and responded to 100% of requests within the 20 working day timescale.

### 3.7 Human Resources

#### 3.7.1 People Indicators of Performance

	20/21 Year End	Q1 21/22	Q2 21/22	Q3 21/22	Q4 21/22	21/22 Cumulative
Total headcount	499	495	492	494		
Total staff FTE	449.84	446.07	441.97	443.2		
Level of employee turnover	5.01%	3.03%	2.24%	2.63%		7.9%
Number of leavers	25	15	11	13		39
Number of starters	32	11	8	15		34

	20/21 Year End	Q1 21/22	Q2 21/22	Q3 21/22	Q4 21/22	21/22 Cumulative
Working days lost to sickness per employee	5.52 days	1.4 days	1.72 days	1.94 days		5.06 days
Percentage of staff with nil sickness	57.1%	84.8%	71.95%	60.53%		
Number of learning hours	6114.5	1365.5	1556			2921.5
Number of delegates	280	189	169			358
Number of apprentices	16	16	14			

### 3.7.2 Recruitment

The increased level of staff turnover continues as indicated above, however a concerted and focussed recruitment campaign continues underway and has created a significant increase in new starters in the Authority.

Active Recruitment campaigns are underway for Project Managers, Project Support Officer, Building Control Surveyor, Venues Customer Service Assistant, Waste Services Operative, Housing Assessment Support Officer, Payroll Officer, Landscape Architect, and Waste Minimisation & Sustainability Officer. The response to most positions has been strong with several positions with pending starters.

## 4. **Councillor Mrs Wendy Schmitt – Cabinet Member for Climate Change and The Environment**

### 4.1 Cemeteries

Officers have been working with Bocking Primary School whose pupils are kindly painting a number of cobble stones to be included in the memorial garden at Bocking Cemetery. Year 6 were taken on a tour of the cemetery to start the child friendly talks around death. There were lots of wonderful questions asked and the children were attentive and receptive around the subject which was pleasing to see.

### 4.2 Street Scene

#### 4.2.1 A120 Clear Up

Street Cleansing undertook a complete clear up of the A120 bypass including some of the local roundabouts and slip-roads over two weekends in November (12-14 and 19-21 November 2021). This was another tremendous effort by the staff who collected 87 sacks of litter and over 4 tonnes of detritus including gravel and silt.

#### 4.2.2 Road Sweeping A120 from Marks Farm to Marks Tey boundary

At the end of November 2021, Street Cleansing carried out a channel sweep along both sides of the A120 from Marks Farm to Marks Tey including all the laybys and collected 6.64 tonnes of detritus. Officers are awaiting permission from National

Highways to proceed with a sweep of the central road islands, as this will necessitate a road closure/ diversions.

#### 4.3 Great British Spring Clean

Dates have now been released from Keep Britain Tidy for the Great British Spring Clean 2022 which is scheduled to take place from 25<sup>th</sup> March to 10<sup>th</sup> April 2022. The Council will be undertaking the first of three annual clean-ups of the Braintree Bypass in early April to coincide with this campaign. We are working with Comms to encourage town and parish councils as well as voluntary groups to participate.

#### 4.4 Street Scene Enforcement

The Street Scene Enforcement Team have dealt with the following matters:

- 33 Dog barking complaints
- 6 Dog fouling complaints
- 25 Stray dogs detained
  - 19 Braintree District Council
  - 6 Uttlesford District Council
- 67 Reports of Anti-Social Behaviour
- 43 Reports of Littering
- 17 Statutory Notices served
  - 4 S34 Environmental Protection Act 1990 - requesting duty of care paperwork,
  - 3 S108 Environment Act 1995 requesting information
  - 2 Microchipping
  - 4 Community Protection Notice - ASB/Nuisance
  - 2 Abatement Notice - Noise
  - 1 Closure Notice - ASB/Nuisance
  - 1 S59 Environmental Protection Act 1990 - Requiring Land owner to remove waste
- 7 Fixed Penalty Notices served
  - 4 general litter
  - 2 littering of cigarette butts
  - 1 smoking in a smoke free vehicle

#### Number of fly-tips reported

The table below sets out the number of fly tips reported to the Council to December 2021. The data for 2020 is provided for comparison purposes.

Month	2021	2020
April	78	94
May	60	65
June	60	104
July	67	69
August	66	67
September	72	66
October	57	62
November	64	73
December	51	49

## **4.5 Parks & Open Spaces**

### **4.5.1 Soil Bunds to Secure Public Open Spaces**

An opportunity has arisen to utilise surplus soil from the Horizon 120 development to create new soil bunds positioned behind existing knee rail fencing. Once the wooden fencing deteriorates, it will be removed and the soil bunds will present a physical barrier to unauthorised access/encampments. It is proposed to carry out this work in the following areas, subject to consultation with local ward members, the Parish Council (in respect of the Cressing Road site) and Cabinet portfolio holder:-

- King George V, Cressing Road
- Glebe Avenue, Braintree
- Mary Ruck Way, Black Notley

## **4.6 Environmental Health**

### **4.6.1 Public Health & Housing Team**

Environmental Health, as a Responsible Authority under the Licensing Act 2003, brought a review of the Premises Licence for the Hare and Hounds Public House, High Garrett. The review was heard by the Licensing Sub-Committee which concluded with the Premises Licence being varied, restricted the use of the garden.

The Company operating the Hare and Hounds was prosecuted at Ipswich Magistrates Court on 7<sup>th</sup> January 2022, for breaching a noise abatement notice on 10 occasions between 8<sup>th</sup> May 2021 and 25 September 2021, despite plenty of warning and advice to prevent it. The Company was fined £250 per offence, and ordered to pay £2,000 towards costs, and a victim surcharge of £190.

## **4.7 Climate Change**

### **4.7.1 Christmas communications**

A series of messages was distributed using our digital channels in the lead up, during and after the festive season to encourage people to have an eco-Christmas linking into tackling climate change. Messages included using wrapping paper and cards with no glitter, meal planning, Christmas trees, make your own decorations, using up leftovers, recycling the right things and real Christmas tree recycling.

### **4.7.2 Environment e-newsletter**

We continue to encourage sign up to Braintree District Council's Environment e-newsletter and currently have 6,181 recipients.

### **4.7.3 Bulb & Tree Planting Scheme**

The Bulb and Tree whip planting scheme proved very popular, but there were a number of plants/whips surplus to requirements which have been planted in the following areas:-

**Flower bulbs** (4,000 planted in each area)

Notley Green, Gt. Notley

River Walk, Halstead

Manor Street, Braintree

Coldnailhurst Avenue, Braintree

**Tree whips**

Notley Green, Gt. Notley – 2,500 planted

Bramble Road/Honeysuckle Way, Witham – 6, 000 planted

Halstead Riverwalk – 1,500 planted

Braintree Cemetery- Scattering Copse – 2, 500 planted

Maltings Lane, Witham – 1,000 planted

#### **4.7.4 River Brain Maintenance Works**

During November 2021, the Council appointed a contractor to carry out works on the stretch of the River Brain from Mill Park Drive open space to the A120 bridge. The works were to improve the river flow by removing debris including old shopping trolleys and branches, and cutting back the overhanging vegetation. Work started late November and was completed last month.

#### **4.7.5 Electric Vehicle Charging**

Two 22Kw fast EV chargers have been installed at Victoria Square and will be commissioned shortly. Two 22Kw fast EV charger cables are to be laid for Enterprise Centre, Horizon site and two 22kW fast EV chargers at I-Construct have been installed and commissioned.

#### **4.7.6 Energy Efficiency**

The Council is currently promoting resilience to winter weather with residents.

February Energy Switching Auction is ready to launch. The Council is waiting for the go-ahead from Partners. There is significant interest with people wishing to take part.

Officers are currently working on developing targets and options for measuring/monitoring of actions for the Climate Change Action Plan. Pages for the Council's website will be developed to provide information on the Climate Change Action plan.

### **5. Councillor Tom Cunningham – Cabinet Member for Economic Growth**

#### **5.1 Grant funding**

At the start of January the government provided two elements of further funds to support businesses impacted by Omicron Covid variant. This included a further small allowance of discretionary funding to support business who have been impacted by the Omicron outbreak (the Additional Restrictions Grant) and a Hospitality, Leisure and Accommodation grant for rateable businesses specifically in those sectors. These schemes have been opened to businesses for application and considerable funds already distributed directly to businesses.

We have recently delivered a Cycle Storage Scheme, offering businesses up to £2,000 match funding to invest in cycle storage to help their employees and visitors make more sustainable travel choices. Two business so far have successfully been awarded £2,000 to invest in cycle storage infrastructure.

The Council's High Street Improvement Scheme was launched in January 2022. The scheme is focussed on supporting businesses to clean, repair, renovate and improve their premise aesthetics, supporting businesses in their economic recovery. As of the end of January, 24 applicants have had their application approved. Applicants are from the following locations: Braintree 8, Halstead 8, Witham 5, Coggeshall 2, and Kelvedon 1. Common requests have included making the premise more secure, adjustments to minimise heat loss, removal of gum and graffiti, as well as smartening existing paintwork.

Work continues to spend Welcome Back Funding provided by government to promote the return of visitors to our public spaces and town centres across the district. The government funding is required to be spent by the 31<sup>st</sup> March 2022. Various work has been commissioned as part of this project including supporting communication videos, mapping, public realm improvements and events.

## **5.2 Physical Improvements to Town Centres**

The work to Braintree Town Centre has entered its final stages with snagging and street furniture installation underway. The contractor is waiting for final electricity connection dates which will allow the project to complete.

Focus will now move to the improvements to Witham and Halstead town centres, where draft proposals have been drafted and shared with local members and Town Councils. Further refinement is now needed, alongside further consultation with stakeholders and the general public, before delivery commences in the coming months.

## **5.3 Marketing and Events**

Following on from the successful conclusion to our 2021 events programme in the town centres, the 2022 programme is now being drawn up to attract people to the events and the wider town centres. Officers are working with key stakeholders in Braintree, Halstead and Witham, including the town councils, to put together a new programme of events and street markets. This will begin with entertainment and events in February half term.

## **5.4 I-Construct**

I was delighted to attend the opening of our new I-Construct innovation in construction building at Springwood Drive at the end of January along with a small number of colleagues and partners. In the speech to project partners present at the opening, I was pleased to state how very proud we are of Braintree District Council's involvement in this project, acknowledging the capital investment to support economic growth and recovery. The building was officially opened by the Chairman and will provide a hub for supporting small and medium enterprises in the construction industry to deliver innovations. We will be arranging further open

sessions at the building in due course where all Members will have the opportunity to view this building and learn more about the project.

The building has now been completed and handed over to the Asset Management and Commercial teams, as they operate the building in support of SME's in the construction sector and its supply chain.

## **5.5 North Essex Economic Board update**

Working with our colleagues across 6 Local Authorities and Essex County Council, NEEB have now launched business support programmes for advice on a range of areas including start-ups, import/export, digital support, business support navigation and finance and debt management. Digital skills training across 3 separate programmes is being launched in February to support a range of resident needs, as well as advice to help businesses become more carbon neutral. The group are also working with Essex Opportunities to hold virtual job fayres across the region, with a specific Braintree event being hosted in March.

## **6. Councillor Kevin Bowers – Cabinet Member for Housing, Assets and Skills**

### **6.1 Affordable Housing**

There were 48 affordable housing completions in December 2021 on sites in Braintree, Witham, Halstead, Feering, Hatfield Peverel and Finchingfield, which is a total of 301 completions year to date, from April to December 2021. For January 2022, we anticipate there are likely to be around a further 50 completions.

The affordable housing delivery programme will comfortably exceed the annual plan target of 250 and providing there are no further unforeseen delays in the next three months of the programme, it is likely that the number of completions for the year will be the highest annual delivery of affordable housing ever achieved in the district.

### **6.2 Skills**

I was pleased to be part of a discussion with City and Guilds this month regarding their future work in Braintree District. City and Guilds are a leading training provider of vocational courses, and we were able to show them our developing Enterprise Centre at Horizon 120, the Plaza, and the completed I-Construct Innovation Centre. We discussed opportunities for working together to increase the availability of the vocational courses and apprenticeships that our residents and businesses need.

### **6.3 Horizon 120**

Pre-app planning meetings have progressed well on the EOS development in Zone B, and it is anticipated that the formal planning checklist will be submitted at the end of January with construction projected to start in April 2022. Contracts have now been let for the construction of plots 1, 2 & 3 in Zone C and it is anticipated development will start on-site in March 2022 with completion in September 2022.



#### **6.4 Horizon 120 Enterprise Centre: The Plaza**

Construction works are progressing well and recent delays, caused by material supply chain issues, have been reduced from 10 weeks to 4. The roof is nearing completion and façade works are going well, with brickwork reaching 1<sup>st</sup> floor level. The SELEP claims submitted now total £6.1 million, and there is every confidence that the target, of £7 million, will be reached well in advance of the 31<sup>st</sup> March deadline. The project remains within budget.

Following a competitive procurement process, artist Mark Titchner has been commissioned to deliver a public art installation in the public open space/Hub area. Mark is a previous Turner Prize nominee.

#### **6.5 Manor Street**

The new bus interchange was completed and handed over by Kier, our construction partner, and became operational on January 2<sup>nd</sup>. There have been some teething problems with lighting levels and some delays in installing signage and timetables. These issues are being resolved alongside Essex County Council.

The Travelodge building was completed and handed over by Kier on January 17<sup>th</sup> and will be opening for customers soon.

Kier continue to be affected by staff absences as individuals test positive for Covid-19 and are required to self-isolate. This has caused some delay with the East Block residential building, which is now due to be completed in March. It is anticipated that the Main Block, including residences and the Live Well Hub, will be completed in February and the Town Hall Plaza area will be completed in March.

#### **6.6 Witham Enterprise Units**

The transfer of land from Redrow to BDC through S106 agreement has now been completed. The business case for the development of enterprise units on the site continues to be drafted and is anticipated to be completed in the first quarter of 2022.

### **7. Councillor Mrs Gabrielle Spray – Cabinet Member for Planning and Infrastructure**

#### **7.1 Housing land supply and Housing Delivery Test**

I am delighted to say that the Authority has been successful in defending another Planning Appeal for speculative housing development, this time in Black Notley. This followed successful defence of refusals in High Garrett and Sible Hedingham over the last few weeks. I am also incredibly pleased to say that the Black Notley Inspector also concluded that the Council could demonstrate a 5 year housing supply, albeit, by the narrowest of margins (around 66 dwellings).

The government recently published its Housing Delivery Test Results. This is a measure of the performance of all local planning authorities in England, against housing targets over the last three years. The results of the test can have significant consequences for authorities who fail to meet targets including imposing a presumption in favour of sustainable development. I am delighted to say that the

District achieved 125% against this target and therefore for the first time since the test was introduced, has no penalty applied.

## **7.2 Transport**

The Council has just submitted its comments to the consultation by Transport East on its new Transport Strategy. Braintree is the representative at both Councillor and officer level of Essex district, borough and city authorities and therefore has been heavily engaged with partners to drive the direction of this regional policy. Separately Essex County Council have asked the Council to work with it on a Braintree Town Transport Strategy. ECC are drafting Transport Strategies in the largest urban areas in the County, with Chelmsford and Colchester already having been through the process. Local ward Members have been invited to attend an information and discussion session to learn more with ECC officers and Members and a public consultation of the draft strategy will follow in due course.

## **7.3 Bramford to Twinstead Reinforcement National Grid**

Members will be aware that the National Grid has been working on a Nationally Significant Infrastructure Project (NSIP) to reinforce the powerlines between Bramford sub-station in Suffolk to Twinstead in Braintree District. A statutory consultation prior to the submission of the formal planning application (called a Development Consent Order) to the Planning Inspectorate is taking place between the 25<sup>th</sup> January and 21<sup>st</sup> March 2021. BDC will draft a response which will be considered by the Local Plan sub-committee in due course. Interested local residents and stakeholders should visit the national grid website where more information on the scheme is proposed and details of how to engage and respond are listed:

<https://www.nationalgrid.com/uk/electricity-transmission/network-and-infrastructure/bramford-twinstead>

## **7.4 Conservation Area Appraisals and Management Plans**

We have been consulting on a Conservation Area Character Appraisals and Management Plans (CACAMP) for the Braintree Town Centre and Bradford Street Conservation Areas. The purpose of the Conservation Area Appraisal is to provide an analysis of the Conservation Area which will inform future development and design with regard to the sensitivities of the historic environment and its unique character. The purpose of the Management Plan section is to identify issues facing the Conservation Areas and to recommend management proposals which address these issues in both the short and long term.

The consultation period started 10<sup>th</sup> January and closed on the 7<sup>th</sup> February 2022. All properties which were proposed to be added or removed from the Conservation Areas (nearly 2,400 in total) were sent a direct letter and the consultation was published via the usual channels including social media, print media and the planning newsletter. A webinar was held on the 19<sup>th</sup> January to allow people to hear more about the proposals and ask questions which 10 people attending. A recording of the session is available to view on our website.

## **8. Councillor Peter Tattersley – Cabinet Member for Health & Wellbeing**

### **8.1 Swimming pool participation**

The Council's swimming pools continue to be busy as people's activities start to return to normal. Children's' swimming sessions are now back to pre-pandemic levels at all sites, and public lane swimming sessions are back to full capacity in each session.

### **8.2 Sport for Confidence Programme**

There are many reasons why people are excluded from our society and community spaces like leisure centres. The Sport for Confidence Team, working from Witham Leisure Centre in partnership with Fusion Lifestyle, aims to provide a personalised approach focusing on what matters to the individual. The Leisure Centre has adapted and adjusted the sporting activity wherever possible to make it an inclusive and valuable experience for all.

Despite The Sport for Confidence programme at Witham Leisure Centre experiencing a 30% drop in attendance in December 2021, due to a reduced number of available sessions for the month and the impact of Omicron variant, there have been 335 visits, taking the total for the year (from May – December 2021) to 3076 attendances over 261 sessions with 80 new clients

### **8.3 My Weight Matters**

The My Weight Matters programme has recommenced delivery in Braintree and Witham. These sessions run on a Thursday from 9:30-10:30am for an initial 12 week period with the possibility to extend to accommodate more people. The Sport for Confidence team will be offering a My Weight Matters weigh-in from 10.00-11.00am starting on 11<sup>th</sup> January 2022 at Witham Leisure Centre. The remaining Fusion sites will establish a start date for the other sessions in the near future. Active Essex has allocated £3k to fund pay & play facilities across all of the Fusion sites in the District for the participants of the My Weight Matters programme from week three of the programme giving them access to weight management advice and exercise opportunities free of charge.

### **8.4 Community Sports Development**

A number of new initiatives to get Community Sports development back up and running are now underway, working with our Partners on the Active Braintree Network.

Marks Hall Estate now hosts the District's second Parkrun event on a Saturday morning. The internationally recognised running and walking platform which already operates from Great Notley Country Park continues to thrive at both sites. The Marks Hall estate event sees runners and walkers go through the arboretum over the 5 kilometre distance every Saturday morning at 9am. Recent weeks have seen up to 280 participants taking part.

Work is underway in partnership with the PCN's in the District to set up a referral pathway for patients to be referred directly into activities across the District both

within formal leisure centre programmes such as cardiac rehabilitation, cancer rehabilitation and also through the Community 360 “Finding your Feet” walk programme; Parkrun; My Weight Matters programme; and the Man V Fat football project all designed to combat obesity-linked health issues.

## **8.5 Dementia Training**

On 7<sup>th</sup> December 2021, to celebrate Braintree Railway Station achieving ‘working towards’ dementia friendly status, a Dementia Friendly Music Train event took place in partnership with the Community Rail Partnership. 40 guests travelled by train from Witham to Braintree accompanied by a musician. They were met at Braintree Station and taken to the Town Hall for refreshments, music and dance. Each guest received an information pack about local services and support that is available to people living with Dementia and their carers.

Attendees included residents of care homes together with individuals who had heard about the event through local social media. Tickets for the train were provided free of charge by Greater Anglia.

The event received some positive feedback which included an email from a resident whose parents had attended the event and wanted to convey their family’s thanks as they had spent over a year trying to convince their father that he needed some help and support with his wife who is living with dementia. Their e-mail said *“Today was a massive turnaround, for an event so simple, my parents had the best day out they’ve had in a few years and they are both like excited toddlers this evening. They couldn’t wait to call and tell me all about it and as a family we can’t believe how happy they both were and how positive my father is having met people who offer dementia support. This one event has been a massive turning point for our whole family. So a huge thank you from us all”*.

## **8.5 Community Garden**

The Recovery through Growth action plan looks at how we use nature, wildlife, gardening and the environment to support those that may be suffering with their mental health or socially isolated/lonely. The Council is working in partnership with Community360; First Stop; Green Path Ventures; and the Salvation Army to develop projects.

## **9. Councillor Frankie Ricci – Cabinet Member for Communities**

### **9.1 Town Hall**

Community Priced wedding bookings at Braintree Town Hall have exceeded expectations in 2021-22 and bookings are increasing for 2022-2023 weddings. By the end of the 2021-22 year, we will have hosted 172 Community Priced weddings and 19 approved premises weddings even with the recovery from Covid lockdowns and restricted numbers from March - June 2021. The bookings already in the diary for 2022-23 year is 179. With the completion of the Town Centre pedestrianisation and Victoria square development, we hope to see this number continue to rise.

## 9.2 Councillors Community Grants

Members currently have until the end of March 2022 to spend their allocation for Councillor Community Grants. There have been some fantastic projects funded during the first three quarters including nature therapy, installation of goalposts and computer equipment. Members are encouraged to promote this scheme in their communities, to ensure that as many groups as possible are aware of the opportunities this grant funding brings.

## 9.3 Community Safety

The Braintree District Community Safety Partnership is currently in the process of completing the Annual Strategic Assessment that will inform the priorities of the Partnership for 22/23.

Key pieces of work have been delivered over the Christmas period concentrating on the night time economy including joint patrols and raising awareness of needle spiking and county lines to taxi drivers, local pubs and the community.

The Essex Crime Prevention Strategy has recently been launched with 14 thematic strands that present the greatest potential threat, risk and harm to our people and communities; they also present the greatest opportunity for prevention. These are:-

- Knife Crime
- Night Time Economy
- Rape
- County Lines/Exploitation
- Serious Organised Crime
- Cybercrime & Fraud
- Places
- Burglary/Robbery
- Prevent
- Hate Crime
- Child Abuse/CSE
- Domestic Abuse
- Drugs & Alcohol
- Mental Health

With Community Safety being within my portfolio, I have attended 3 Police, Fire & Crime Panel meetings where topics including the Essex Policing strategy have been discussed and agreed.

## 10. **Councillor Richard van Dulken – Cabinet Member for Operations and Commercialisation**

### 10.1 Waste & Recycling

#### 10.1.1 Christmas/New Year Collections

The Council would like to thank all residents for their patience and understanding with the double collections in the New Year, especially those who had to wait longer

than planned for their collection whilst the crews caught up. It was heartwarming to see the many messages of support from residents thanking the crews for their efforts and hard work during this period, and these were greatly appreciated by all the crews.

#### **10.1.2 Real Christmas Tree Collection**

An amenity collection for real Christmas trees and wreaths took place on Saturday, 15 January, at ten sites around the District, to help increase recycling, reduce fly-tips and avoid green waste going into the residual waste stream. A total of 93 trees were collected in addition, Farleigh Hospice collected a further 326 and raised £5,353 from donations for their charity.

#### **10.1.3 Food and Drink Cartons**

From July 2020 to December 2021 we collected over 11 tonnes of food and drinks cartons from our bring banks.

#### **10.1.4 Trial Waste Electrical & Electronic Equipment (WEEE) Collections**

From January 2021 to – December 2021 we have collected approx. 7 tonnes of small WEEE waste.

#### **10.1.5 Textile Banks**

Approximately 25 tonnes of textiles have been collected from April 2021 to November 2021 generating approx. £3k income.

### **10.2 Licensing**

The Licencing Team has processed a higher than average number of Private Hire and Hackney Carriage Operators applications. Some 58 drivers have participated in revision tests, which they are required to undertake and pass before they can apply for their Licence.

The Council is working Private Hire and Hackney Carriage Operators Proprietors to raise awareness of organised gangs and criminal networks across the District/County, who recruit vulnerable children as couriers to move cash and drugs, utilising taxis as a mode of transport. Free safeguarding awareness training (Every Contact Counts for Proprietors commenced last month.

From 4 April 2022 Taxi drivers and scrap metal dealers will be required to complete a 'tax check' so that Revenue and Customs can ensure that these operators declare their income and pay their taxes properly.

### **10.3 Highways**

At December's meeting of Braintree Local Highway Panel, it was agreed that £25,000 from the budget would be made available to undertake a feasibility study and recommend options to Essex County Council for the Earls Colne to Coggeshall stretch of the cycle path.

#### 10.4 Commercialisation

The Investment and Development programme currently has a pipeline of £1.5 million.

Income targets have been exceeded for the roundabout sponsorship and advertising workstreams, although events income continues to be down due to the unavoidable impacts of Covid.

Shared procurement with ECC has enabled efficiency benefits through the use of shared documentation and knowledge.