COUNCIL AGENDA



THIS MEETING IS OPEN TO THE PUBLIC

(Please note this meeting will be webcast)

http://www.braintree.gov.uk

Date: Monday, 8th October 2012

Time: 7:15pm

Venue: Council Chamber, Causeway House, Bocking End, Braintree, CM7 9HB

Membership:

membership.		
Councillor J E Abbott	Councillor J S Allen	Councillor M J Banthorpe
Councillor P R Barlow	Councillor J Baugh	Councillor J C Beavis
Councillor D L Bebb	Councillor E Bishop	Councillor R J Bolton
Councillor L B Bowers – Flint	Councillor G Butland	Councillor C A Cadman
(Chairman)		
Councillor S Canning	Councillor T G Cunningham	Councillor J G J Elliott
Councillor Dr R L Evans	Councillor A V E Everard	Councillor J H G Finbow
Councillor M J Fincken	Councillor T J W Foster	Councillor M E Galione
Councillor C Gibson	Councillor M Green	Councillor P Horner
Councillor S A Howell	Councillor H D Johnson	Councillor S C Kirby
Councillor M C M Lager	Councillor C Louis	Councillor D J Louis
Councillor E Lynch	Councillor D Mann	Councillor J T McKee
Councillor R G S Mitchell	Councillor J M Money	Councillor Lady P Newton
Councillor J O'Reilly-Cicconi	Councillor I C F Parker	Councillor J A Pell
Councillor R P Ramage	Councillor D M Reid	Councillor F Ricci
Councillor D E A Rice	Councillor W J Rose	Councillor V Santomauro
Councillor W D Scattergood	Councillor W Schmitt	Councillor A F Shelton
Councillor L Shepherd	Councillor C Siddall	Councillor G A Spray
Councillor J S Sutton	Councillor J R Swift	Councillor P Tattersley
Councillor C M Thompson	Councillor M Thorogood	Councillor L S Walters
Councillor R G Walters	Councillor S A Wilson	Councillor B Wright

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak Members of the public wishing to speak should contact the Council's Member of the public can remain to observe the whole of the public part of the meeting. The Council's question time leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham (library) and Halstead (library).

Health and Safety. Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

Mobile Phones. Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Documents. Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at http://www.braintree.gov.uk

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting	ig out the following information:
Meeting Attended	Date of Meeting
Comments	
Contact details	

Members unable to attend the meeting are requested to forward their apologies for absence to Alastair Peace on 01376 551414 or email <u>alastair.peace@braintree.gov.uk</u>

INFORMATION FOR MEMBERS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non- Pecuniary Interest:-

Any member with a Disclosable Pecuniary Interest or other Pecuniary Interest to indicate in accordance with the Code of Conduct. Such Member must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest 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.

Members of the Council are requested to attend the above meeting to transact the following business: -

PUBLIC SESSION

- 1. Apologies for Absence
- 2. To receive any announcements/statements from the Chairman and/or Leader of the Council.
- 3. Declarations of Interest.

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.

- 4. **Question Time.** (See page i).
- 5. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 30th July 2012 (Copy previously circulated).
- 6. **Petition:** New medical facilities to serve the villages of Sible Hedingham and Castle Hedingham. To receive and debate a petition containing 1192 signatures requesting the following:

"We the undersigned, hereby request that Braintree District Council use its best endeavours to convince NHS Mid Essex of the urgent need for new medical facilities to serve the villages of Sible and Castle Hedingham. We further request that this facility be sited on the Premdor/Rockways regeneration area in accordance with the Core Strategy adopted September 2011".

Following the debate, the relevant Cabinet Member will be invited to move a motion based upon one of the following:

- 1. no further action is required;
- 2. the petition be referred to Cabinet or appropriate committee; or
- 3. that some other action be taken in response to the petition other action to be specified by the Cabinet Member.

Notes:

- 1. The Local Development Framework Panel Sub-committee is considering the Premdor/Rockways Master Plan at its meeting on 27th September 2012. The Sub-committee was made aware of the existence of the petition prior to its meeting.
- 2. An extract of the Petitions Scheme is enclosed with this agenda.
- 7. Appointments Panel Appointment of Head of Paid Service (Chief Executive). Report attached (page 1).

8. Policy Recommendations and References – Cabinet – 24th September 2012.

To consider any policy recommendations which have arisen since the last Council meeting –

- a) **Housing Assets: Disposal of Trinity House, Halstead.** Report attached (page 3).
- 9. **Code of Conduct.** Report attached (page 6).
- 10. **Standards: Appointment of Independent Persons.** Report attached (page 8).
- 11. Question Time Reports of the Leader and Cabinet Members
 - (i) Reports from the Leader and Cabinet Members. To receive the following reports from each Portfolio Holder:
 - a) Councillor Butland, Leader of the Council (Report to follow);
 - b) Councillor Beavis, People and Participation (Page 10);
 - c) Councillor Bebb, Performance and Efficiency (Page 12)
 - d) Councillor Lady Newton, Planning and Property (Page 14);
 - e) Councillor Schmitt, Place (Page 16);
 - f) Councillor Siddall, Prosperity and Growth (Page 19).
 - (ii) **Oral questions** without notice on matters related to a particular portfolio, the powers or duties of the Council or the district. (Procedure Rules 7.1 to 7.3 apply). Where a verbal response cannot be given, a written response will be issued to all members.
 - (A period of up to 30 minutes is allowed for this item).
 - (iii) Chairmen's Statements. To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 7.9 and to respond to questions on such statements. *None have been received.*
 - (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the Council meeting on 30th July 2012. (Report attached Page 22).
- 12. Statements by Members

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 7.6.

There are none.

13. To receive reports about and receive questions and answers on the **business of external organisations**. *None have been received*.

Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.

PRIVATE SESSION

Note: At the time of publication there are no items for Private Session.

14. Statements by Members – Private Session

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 7.6. The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.

There are no statements

15. Question Time - Private Session

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.
- (ii) **Oral questions** without notice on matters related to a particular portfolio, the powers or duties of the Council or the district. (Procedure Rules 7.1 to 7.3 apply). Where a verbal response cannot be given, a written response will be issued to all members.
 - (Please note that the time set aside for item 15(ii) shall not exceed 30 minutes)
- (iii) Chairmen's Statements. To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 7.9 and to respond to questions on such statements *There are none*.
- (iv) To raise any matters arising from the minutes of meetings that have been held in private session since the Council meeting on 30th July 2012.
- 16. **Private Session Policy Recommendations.** To consider any policy recommendations (in private session) that have arisen within the last meetings' cycle *There are none.*

A J REID Chief Executive

The last page of this agenda is numbered 22.



Appointments Panel - Appointment of Head of Paid	Agenda No: 7
Service (Chief Executive)	

Corporate Priority: Leadership of the organization

Report presented by: Councillor Graham Butland, Leader of the Council

Report prepared by: Helen Krischock

Background Papers: Council Constitution	Public Report
Options: To approve or not to approve the appointment of the Head of Paid Service (Chief Executive).	Key Decision: No

Executive Summary:

The purpose of this paper is to seek Council approval for the appointment of the Head of Paid Service (Chief Executive) following the recommendation of this appointment by the Appointment Committee, which was delegated by Council on the 11th June, to deal with this matter.

Decision:

Council is asked to approve the recommendation of the Appointment Committee to appoint Nicola Beach to the post of Head of Paid Service (Chief Executive).

Purpose of Decision: To appoint a Head of Paid Service (Chief Executive).

Corporate implications	
Financial:	Within current base budget. Salary agreed under recent pay policy review.
Legal:	Required to appoint a Head of Paid Service.
Equalities/Diversity	Process has been in accordance with the Council's recruitment policy.
Customer Impact:	Potential impact upon the style and culture of the organisation's relationship with customers.
Environment and Climate Change:	None
Consultation/Community Engagement:	Key partners were involved in the recruitment process.
Risks:	Lack of organisational leadership through non-appointment.
Officer Contact:	Helen Krischock
Designation:	Human Resources & Organisational Development Manager
Ext. No.	2711
E-mail:	helen.krischock@braintree.gov.uk

1.0 Introduction

- 1.1 On the 11th June Council agreed to establish an Appointment Committee, in accordance with Part 4 of the Council's Constitution, in order to make an appointment to the post of Head of Paid Service (Chief Executive).
- **1.2** The Appointment Committee consisted of five members:
 - Cllr Graham Butland Leader of the Council
 - Cllr Lady Patricia Newton
 - Cllr Vanessa Santomauro
 - Cllr Phil Barlow
 - Cllr James Abbott.
- **1.3** The appointment process ran over two days and included:
 - Psychometric assessments
 - Two presentations and interviews
 - The involvement of key partner organisations
 - The involvement of an external independent adviser

2.0 Decision

- 2.1 After a thorough recruitment process the Appointment Committee agreed unanimously to recommend to Council that Ms Nicola Beach be appointed to the post of Head of Paid Service (Chief Executive) with effect from the 1st January 2013.
- 2.2 Council is asked to approve the recommendation of the Appointment Committee to appoint Nicola Beach to the post of Head of Paid Service (Chief Executive) with effect from 1st January 2013. All the derogations under the Constitution which are in the name of the Chief Executive and/or Head of Paid Service will be effective from 1st January 2013.

COUNCIL 8th October 2012



Recommendations	from Cabinet, 24 th September 2012	Agenda No: 8a
Housing Assets: Disposal of Trinity House, Halstead		
Portfolio Area:	Planning and Property Councillor Lady Newton	
Background Papers	:	Public Report

M	lini	ıtρ	Fxtr	act.

CABINET – 24TH SEPTEMBER 2012

45. HOUSING ASSETS: DISPOSAL OF LAND ADJACENT TO HANOVER SQUARE, FEERING AND TRINITY HOUSE, HALSTEAD

(Note: Extract of recommendation related to disposal of Trinity House, Halstead, only set out).

DECISION:

- 2. That it be recommended to Council:
 - a. That Trinity House, Halstead, be declared surplus to requirements and authorise the Head of Asset Management to dispose of the property on the open market once the existing lease to NACRO has been ended;
 - b. That net sale proceeds from the sale of Trinity House are added to the Council's affordable housing programme.

REASON FOR DECISION: To make best use of the Council's land and property

Council, 8th October 2012 Agenda Item 8a

CABINET 24th September 2012



Housing Assets: Disposal of land adjacent to Hanover Agenda No: 8b Square, Feering and Trinity House, Halstead.

Portfolio Area: Planning and Property

Corporate Priority: Housing and transport meet local needs

Report presented by: Cllr Lady Newton

Report prepared by: Tim Lucas

Background Papers:	Public Report
Cabinet Report 14 th Feb 2011, item 8a. (plus subsequence)	uent
report to Full Council, 23 rd Feb 2011)	
Options:	Key Decision:
	,
To agree, amend or reject the proposal to dispose of	
To agree, amend or reject the proposal to dispose of at Feering and Trinity House, Halstead.	

Executive Summary:

(Part related to decision required on disposal of Trinity House only included in report).

Work has now begun on a block of flats behind the Council-owned property, 19-21 Bocking End.

At the Cabinet meeting held on the 14 February 2011 it was recommended that the land at the rear of 19 to 21 Bocking End, Braintree was transferred to a housing association in order to re-provide for the supported affordable housing scheme, currently based at Trinity House, Halstead. It was stated that the new scheme would permit closure and sale of Trinity House. The recommendation was approved by the Council on the 23 February 2011 (Minute 59 ii).

The land was passed to Colne Housing earlier this year and the new development is now on site. The flats have now been named 'Pavilion Court' and are expected to be completed in Spring 2013. Colne will lease the flats to NACRO and the Council's lease of Trinity House to NACRO will end once the existing tenants have re-located. It is now proposed to dispose of Trinity House.

Trinity House is a large grade II * listed house and no alternative use as an affordable housing scheme is identified for this property.

Officers recommend that we declare Trinity House, Halstead surplus to requirements and authorise the Head of Asset Management to dispose of the property on terms to be agreed.

Officers also recommend that the net sale proceeds from the sale of Trinity House are added to the council's affordable housing capital programme. It is expected that a

finance report later this year will ask members to consider whether this is in addition to the existing capital programme or used to replace the resources already allocated.

Decision:

Members are asked to recommend to the Council:

- to declare Trinity House, Halstead surplus to requirements and authorise the Head of Asset Management to dispose of the property on the open market once the existing lease to NACRO has been ended; and
- that the net sale proceeds from the sale of Trinity House are added to the Council's affordable housing programme.

Purpose of Decision:

To make best use of the Council's land and property

Any Corporate implications detail	s in relation to the following should be explained in
Financial:	The open market disposal of Trinity House is likely to provide a significant yield to the Council. It was last valued a couple of years ago at £350,000.
	The recommendation to allocate the net proceeds to the affordable housing programme does not have an immediate impact as members will be asked later to decide whether this is a net addition to the programme or a replacement of capital already allocated.
Legal:	There are no specific legal issues with the sale of Trinity House and (now that we have no Housing Revenue Account) the Council is free to use the receipts as it chooses.
Equalities/Diversity	No specific issues.
Customer Impact:	No direct issues as a result of the sales but we will work with NACRO to plan the closure of Trinity House with least possible short-term negative impact to the residents.
Environment and Climate Change:	None at this stage
Consultation/Community Engagement:	None at this stage
Risks:	Any risks associated with the sale of Trinity House are likely to be associated with the building being empty once residents move out. We will try to minimise this risk by starting the marketing well before the residents move out.
Officer Contact:	Tim Lucas
	Housing Research & Development Manager
Designation: Ext. No.	2124
E-mail:	
L-IIIaII.	timlu@braintree.gov.uk

COUNCIL 8th October 2012



Code of Conduct		Agenda No: 9
Corporato Priority:	Overall Corporate Strategy and	Direction
Corporate Priority: Report presented by: Report prepared by:	Overall Corporate Strategy and Councillor Graham Butland Vicki Stevens, Monitoring Office	
Background Papers:		Public Report
•	the Local Government Reform	
Cabinet Sub-Group 12/4 Democracy Cabinet Sub Group 2/5/11 and Counc	-Group Government Reform Sub-	

Executive Summary:

On 11th June 2012, Braintree District Council adopted the Code of Conduct for elected and co-opted Members. The Code was adopted, subject to further amendment following the publication of The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Authority was delegated to the Monitoring Officer, in consultation with the Chairmen of the Governance Committee and the Developing Democracy Cabinet Sub-Group and Group Leaders, to amend the Code of Conduct as considered appropriate for the registration and disclosure of interests as well as any consequential amendments.

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 have been published and the Code of Conduct has been amended to include the statutory provisions in respect of the declaration and the effect of Members' interests.

It is considered for the benefit of doubt that the Council should ratify the adoption of the finalised Code of Conduct.

All Members should familiarise themselves with the Code of Conduct as finalised. The finalised Code of Conduct will be published on the Council's website and is enclosed at Appendix A.

Decision:

To note the changes to the Code of Conduct and ratify the adoption of the Code of Conduct for elected and co-opted Members of Braintree District Council.

Purpose of Decision:

To ensure that the Council adopts a Code of Conduct in accordance with statutory provisions.

Any Corporate implications in relation to the following should be explained in detail		
Financial:	None arising out of this report.	
Legal:	The amendments to the Code of Conduct, as adopted by the full Council on 11 th June 2012, arise out of The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. The Regulations set out the Interests	
Equalities/Diversity	None arising out of this report.	
Customer Impact:	None arising out of this report.	
Environment and Climate Change:	None arising out of this report.	
Consultation/Community Engagement:	Consultation was carried out with the Chairmen of the Governance Committee and the Developing Democracy Cabinet Sub-Group and Group Leaders.	
Risks:	The Council's Code of Conduct must set out Members interests, the Members' obligations and effects on declaring such interests.	
Officer Contact:	Emma Wishov	
Officer Contact:	Emma Wisbey	
Designation: Ext. No.	Local Governance Manager & Deputy Monitoring Officer 2610	
E-mail:	emma.wisbey@braintree.gov.uk	
L-IIIaII.	<u>emma.wioney@brailittee.gov.uk</u>	

COUNCIL 8th October 2012



Standards: Appointmen	t of Independent Persons	Agenda No: 10
Corporate Priority: Report presented by:	Overall Corporate Strategy and Direction Councillor Michael Lager, Chairman of the Governance Committee	
Report prepared by:	Vicki Stevens, Monitoring Office	er
Background Papers:		Public Report
Cabinet Sub-Group 12/4/	ne Local Government Reform 11 and 9/2/12, Developing Group Government Reform Sub- I 11/6/12.	
Options:		Key Decision: No
Independent Perso	ommended named persons as ons. one or all of the recommended	
	nd authorised the Monitoring	

Executive Summary:

Independent persons.

Following the abolition of the statutory procedures for the handling of complaints in respect of Member conduct, the Localism Act required Councils to put in place local arrangements to deal with complaints, which include the provision of the appointment of at least one independent person to assist the Monitoring Officer in dealing with complaints received in respect of failures to comply with the Code of Conduct.

On 11th June 2012, Council approved the process to interview and select applicants for the role of Independent Person. On 16th August 2012 interviews were held before a Member Panel comprising of Members of the Governance Committee, Councillors Lager, Canning and Reid assisted by the Interim Head of Governance. The following names are now recommended to Full Council for appointment as the Independent Person.

- Mr Anthony French
- Mr Christopher Webb (reserve Independent Person)

Officer to recommence the process for recruiting

• Mr Keith Stubbings (reserve Independent Person)

Decision:

To appoint Independent Mr Anthony French, Mr Christopher Webb and Mr Keith Stubbings as Independent Persons.

Purpose of Decision:

To ensure that the Council has the necessary arrangements in place to comply with the requirements of the Localism Act.

Any Corporate implications in relation to the following should be explained in detail		
Independent Persons will receive an allowance and expenses. These are yet to be determined.		
The Localism Act requires the Council to have at least one Independent Person to assist the Monitoring Officer for the handling of complaints in respect of Member Conduct.		
None arising out of this report.		
None arising out of this report.		
None arising out of this report.		
N/A		
Without an Independent Person the Monitoring Officer cannot discharge the Council's arrangements for handling complaints. The Monitoring Officer is obligated to consult with an Independent Person when deciding what action should be taken in respect of a complaint.		
Emma Wichov		
Emma Wisbey Local Governance Manager & Deputy Monitoring Officer		
2610		
emma.wisbey@braintree.gov.uk		



COUNCILLOR JOANNE BEAVIS - CABINET MEMBER, PEOPLE AND PARTICIPATION

Report to Council on Portfolio Area of People and participation for the period ending 22nd September 2012

Agenda No: 11(i)(b)

Witham Leisure Centre.

As reported to Cabinet on 16th July 2012, Essex County Council now requires Secretary of State for Education consent in order to complete the lease with Braintree District Council. The County Council submitted the application on the 6th August 2012 to the Education Funding Agency (which acts on behalf of the Department for Education) and we are now awaiting approval.

The new Leisure Contract.

I was pleased to meet with Fusion, our new leisure provider, in early September to officially "kick start" the commencement of the new 10 year Leisure Contract. The handover to Fusion went seamlessly and since that meeting I have taken the opportunity to visit all of our centres.

I'm confident, particularly over the next few months that BDC and Fusion will work in strong collaboration to ensure that the vision and priorities within the contract will be delivered. D C Leisure, our old contractor, has been thanked for their professional participation in the handover process.

Witham Public Hall.

The £100,000.00 capital investment into the hall by Braintree District Council (BDC) has commenced. A flexible approach by BDC and the Witham Public Hall Trust will ensure that joint consideration is given to works programme.

Silver End Village Hall. (SEVH)

Braintree District Council is following up an opportunity from an independent company to take over the day to day management of SEVH. This applies to a large percentage of the ground floor area only as the rest of the hall is already externally managed. If a successful completion is achieved, SEVH becomes the last of the Council's Community Halls to be handed over to independent management.

THE LOCALISM BOARD.

Terms of reference are being drawn up in order to call the first meeting of the Localism Board. I have approached members from across the district, to join the board, to ensure that the work of the Localism Board reflects the geographical spread of the district. The Board Members will ensure that objectives of the Localism Framework are met. The Localism Framework work streams for consideration will include: The role of the Community Councillor and community engagement; The Witham Neighbourhood Pilot; The Witham Town Council Joint Agreement; Neighbourhood Planning; New Community Rights and Community Budgets.

The Witham Neighbourhood Pilot and Joint Agreement.

Along with Nicola Beach I attended the July Witham Town Council (Communities) meeting.

We agreed that a Witham Locality Board would be created to develop two pieces of work:

- 1). The Witham Joint agreement with the Town Council.
- 2). The Witham Neighbourhood Pilot. The membership of the Locality Board would consist of members from BDC, ECC and WTC.

The Whole Essex Community Budget (WECB).

The concept of the Whole Essex Community Budget is to organise public spending by place, not organisation or service. Its aim is to redesign services around communities and residents needs and ensure that communities are at the heart. An estimated £10.8 billion is the total gross public revenue spending across Essex which includes health and welfare.

There are key projects: Families with complex needs.

Economic opportunity.

Safer communities and strengthening communities. Health and Wellbeing and integrated commissioning.

Along with other public sector delegates and representatives from the voluntary and business community of Essex; I have attended two consultation events to participate on the key projects. The submission to Government will be at the end of October. Civil Servants from Central Government are on secondment at Essex County Council to support the submission.

Essex Deal for Growth. Essex Leaders Meeting. 6th September 2012.

On behalf of the Leader of the Council I attended this meeting held in Chelmsford. Using the umbrella of the Whole Essex Community Budget Essex, public services and larger Essex businesses have the opportunity to influence Government policy through the submission of a "Deal for Growth". In essence, the WECB is about driving improved outcomes for Essex. The "Deal for Growth" is focused on accelerating economic growth to stimulate prosperity for Essex.

The Essex Leaders group agreed in principle, to the concept of an Essex Deal for Growth and asked that Officers, across Essex, meet to work up a proposal for further consideration from the Leaders of Essex.

Essex Health and Wellbeing Board – Joint health and wellbeing strategy for Essex. 2013/16.

Following a series of consultation workshops across Essex, mostly steered through the Local Strategic Partnerships (LSP'S), including the Braintree LSP, consultation has begun on the strategy for Essex. I will update members on the progress of the strategy when I receive further information.

Further information on the contents of this report can be obtained by contacting:Cllr Joanne Beavis and Cllr Peter Tattersley (Deputy Cabinet Member for People).

Contact:	CIIr Joanne Beavis.
Designation:	People and Participation
E-mail:	Cllr.jbeavis@braintree.gov.uk



COUNCILLOR DAVID BEBB, – CABINET MEMBER PERFORMANCE AND EFFICIENCY

Report to Council on Portfolio area of Performance and Efficiency for the period ending September 21st 2012

Agenda No: 11(i)(c)

First Quarter Performance Management Report 2012/13

This report was presented by me to Cabinet on September 24th and contains a considerable amount of detailed data and insight on the Council's performance. This is the first quarter of the year reporting against our new Corporate Strategy and the new five priorities – Place, People, Prosperity, Performance and Partnerships.

Listed below are some of the key achievements over this period:

- Projects: of 39 projects, 2 are completed and 37 are on track
- Of 13 key performance indicators 9 are improved upon the same period last year and 2 are new performance indicators. No performance indicators have deteriorated since last year.
- Particular achievements, with comparisons to targets shown in brackets include
- Recycling 60% (58%),
- Customer use of Leisure Centres 264,834 (242,500),
- Customer use of BDC car parks in 3 towns 172,682 (157,500),
- Community Transport passenger journeys 15,624 (14,500)
- Customer services: % enquiries resolved at first contact 87.67% (85%)
- Housing Benefit new/ change claim processing time 6.95 days (8 days)
- Transactions via Council website 104,678 (100,000)
- Customer Services Centre telephone av. response time 16 sec (15 sec)

Overall, the performance for the first quarter of 2012/13 is very good and represents how the Council remains committed to delivering high quality services.

Financial Performance

The current projected outturn is a net spend of £15.734 million, compared with a budget of £16.159 million, giving a projected under spend of £425,710. The projected under spend of £425,710 equates to -2.6%, and is a combination of expenditure variances of minus £319,900, and net over achievement of income of plus £105,810

Council Tax/ Business Rates Direct Debit collection for September

Early collection of council tax was made in error after a date, inputted incorrectly, was not picked up when the direct debit run was authorised. Immediately the error was found, swift action was taken to rectify the mistake and minimise the impact for customers. The file was reversed on Friday 31st August 2012 providing a credit to all bank accounts debited the day before. All relevant banks were notified of this action. The actual installment, due 1st September 2012, was then re-requested correctly from banks on Monday 3rd September 2012. A public apology was issued to all residents who may have been adversely affected by the error, and an explanation given of how

any bank charges caused by the council's actions would be reimbursed. It appears that a number of high street banks were not making any overnight overdraft charge for any accounts overdrawn. At the time of compiling this report approximately 50 claims had been submitted to the Council for overdraft charges incurred amounting to around £500 in total, which is likely to be covered by the Council's indemnity insurance.

Revenues processes have been reviewed and additional arrangements put in place to ensure that the errors are not repeated.

Council Website

A new BDC website was launched on August 10th, designed to give improved search facility, helping visitors to go straight to the pages they want, also with easier access from tablets and mobile phones. At the same time the Members Portal has been upgraded.

Causeway House Refurbishment

Refurbishment is virtually complete with lift refurbishment, minor snagging and small changes to be completed. A portion of underspend will be allocated to road surfacing, drainage repair, and improving car park layout. ECC staff have now moved in and taken up tenancy of the second floor.

Non Domestic Rate Retention

Together with Corporate Director Chris Fleetham and Finance Manager Trevor Wilson I attended a Business Rates Retention Roadshow facilitated by DCLG on 6th September.

Under existing arrangements billing authorities are responsible for collecting business rates in their area, with funds collected passed onto Government who then redistribute these funds back to billing and major precepting authorities through a formula grant. The Coalition Government is currently consulting on introduction from April 2012 of local retention of business rates, in order to give incentives for local economic growth and to change local authority behaviour. The government is of the view that Councils should have a greater control over finances, helping them plan for the longer term. Allowing Councils to retain a significant proportion of the business rates generated in the area will provide a strong incentive for them to promote local economic growth. They should also see a direct link between the success of local businesses and their own cash flow.

The proposals focus on the distribution of business rate tax revenues, rather than changes to the system of business rate taxation. Businesses will see no difference in the way they pay rates or the way they are set. Rate setting powers will remain under the control of Government and the revaluation process will be unchanged.

The proposed scheme is complex with growth targets built in that if exceeded will result in effect in a portion of funds being largely retained by the Council. The Council will be responsible, as currently for collection of business rates, but a portion of funds will be passported to central government (50%), a proportion to the County Council, and the balance retained. CIPFA are currently supporting councils in clarifying understanding the detail of the scheme.

Cllr David Bebb
Cabinet Member for Performance and Efficiency

Further information on the contents of this report can be obtained by contacting:

Contact:	Cllr David Bebb
Designation:	Cabinet Member for Performance and Efficiency
E-mail:	Cllr.dbebb@braintree.gov.uk



COUNCILLOR LADY NEWTON – CABINET MEMBER FOR PLANNING AND PROPERTY Report to Council on Portfolio Area of Planning and Property Agenda No: 11(i)(d)

Braintree to Witham Branch Line Socio Economic Study, Braintree Branch Line

The Socio Economic Study commissioned by the Council has concluded that if paths can be delivered for additional services to run from Braintree to London, then there is a strong business case for upgrading the Branch with a static loop and moving to a two train per hour service.

A presentation evening was held on the 17th September 2012 to present the findings. This event was well attended by business groups, Department for Transport, Greater Anglia, Business representatives, Parish Councils and Councillors. At the presentation evening, stakeholders were urged to respond to the franchise consultation in December/January 2012 expressing strong support for the passing loop. A report on the rail loop is going to the Haven Gateway sub region Board for support in October.

Blackwater Rail Trail, Witham

The cycleway along the former railway line between Blackwater Lane and Pasture Road was completed on the 14th September. The length of the route is approximately 700 metres. It provides safer and improved cycle/pedestrian access to the Freebournes Road industrial estate, Whetmead Nature Reserve and Witham River Walk. Construction of the route took approximately 3 weeks. Juliet Kirkaldy (Senior Planning Policy Officer) and Barry Mayhew (BDC Engineer) managed the project and liaised with Essex County Council Country Parks (who own and manage the Blackwater Rail Trail).

Affordable Housing

Although the Council is no longer a social housing landlord, it retains a number of housing functions including managing the housing register and statutory homelessness responsibilities. Activity in these areas is monitored on a monthly basis.

We are seeing an increase in the number of people applying for social housing:-

April - 91 May - 99 June - 105 July - 128 August - 157

The Housing Service continues to try to prevent people becoming homeless, but it is not always possible and we are seeing a small increase in the number of households we are accepting as homeless. From April 11 and August 11 it was 66 households, this year from April 12 to August 12 it was 71. However, there is a more marked increase in

the number of homeless households being accommodated in temporary accommodation at the end of March 12 there were 38, at the end of August there were 51. The Council is currently carrying out a review of homelessness in the district in order to inform the Council's new Homelessness Strategy in 2013.

Delivery of New Homes

The affordable housing development programme in the district is on track with 29 completions to date. The Council is establishing an Affordable Housing Task and Finish which will consider how the council might further support affordable housing in the district. The group with be chaired by Councillor Phil Barlow.

Empty Homes

I am pleased to advise that we officially launched the 'Empty Homes Rescue' scheme in September. This is a new project led by Colne Housing and Braintree District Council that has attracted Government funding of £100,000 from the Homes and Communities Agency (HCA); matched by a £100,000 investment from the Council. This 2 year project seeks to bring more empty family homes back into use, and will be delivered by the charitable housing association, Colne Housing.

Councillor Lady Newton Cabinet Member – Planning and Property

Contact:	Councillor Lady Newton
Designation:	Cabinet Member
E-mail:	cllr.ladynewton@braintree.gov.uk



COUNCILLOR WENDY SCHMITT – CABINET MEMBER PLACE	Agenda No: 11(i)(e)
Report to Council on Portfolio area of Place for the period ending 21 st September 2012	

WASTE MANAGEMENT

Food Waste: The new service to 16,500 additional properties is due to commence on the 24th of September. Staff for the service have been recruited and received training and have been involved in the delivery of the caddies and information to householders. The new staff have also been familiarising themselves with the new routes to ensure a smooth transition.

Recycling Sacks: Annual deliveries to all households are nearing completion.

STREET CLEANSING

Halstead Town Partnership: I was pleased to attend the formal signing of the Halstead Town Partnership Agreement which took place on Thursday, 23 August at Halstead Town Council. This is a four-way partnership between BDC, ECC, Halstead Town Council & Halstead in Bloom, which aims to rationalise resources and improve coordination to support our respective objectives, particularly those in relation to the Clean and Green agenda. The Agreement was signed by the Council's Vice Chairman, Cllr. Scattergood, the Chairman of Essex County Council, Cllr. Twitchen OBE, the Mayor of Halstead, Cllr. Hume and the Secretary of Halstead in Bloom, Julia Smith.

Anglia in Bloom: I am very pleased to report that at the Anglia in Bloom awards ceremony on Tuesday, 11 September, Halstead was crowned the best overall entry out of 17 other entries that won Gold, claiming the coveted "Anglia in Bloom" trophy. They also took home the Best Town award within their category. Whilst this is an award for Halstead Town and the 'In Bloom' volunteers, it would not have been possible without the help and support of BDC, which reinforces the standard and quality of the services provided by its staff.

Roundabouts: During August, work was completed on deep cleaning all the roundabouts in the District. The work was undertaken in the early hours of the morning by a team of four operatives over a three week period.

HIGHWAYS

Local Highways Panel: The new Local Highways Panel met on 31 July and 10 September and approved a number of capital schemes to be carried out in the

Braintree District this financial year. These range from widening existing footpaths, replacing bus shelters, schemes to minimise traffic congestion, new weight restrictions, etc. Full details are available on the Council's website. Members are reminded that any requests for improvements can be referred to the Local Highways Panel providing they have the support of the County, District and Parish Councils.

Traffic Regulation Orders: Consultation on 23 requests for new TRO's in the Braintree District has been completed and these will be reported to the Local Highways Panel Advisory Group on 27 September and then to the TRO Sub-Committee for a decision on 18 October 2012.

PARKS AND OPEN SPACES

New Skate Park at Meadowside, Braintree: As a result of a partnership between Braintree District Council, Greenfields Community Housing Association and Groundwork, a new skate park

at Meadowside was officially opened on 22 August (funded by the CHIP fund). This was well attended by many local skaters and included demonstrations by professional skateboarders.

Open spaces: Throughout the summer, work has been carried out to upgrade a number of footpaths on our open spaces including those at John Ray Gardens and Weavers Park, Braintree.

GREEN HEART

Rickstones Academy are the winners of the Cleanest School in the District Competition, I will present a trophy and a cheque for £250, towards a Green School Project, to them on September 26th.

ENVIRONMENTAL SERVICES

BBE: As part of the joint working between BDC Brentwood and Trading Standards our officers have now received joint training provided by the National Better Regulation Delivery Office on changing the culture of regulation. The Government want to transform Regulatory Enforcement so that regulatory activity promotes business growth and prosperity.

Changes to Health & Safety Enforcement on Licensed Premises: The Business Secretary has proposed is that from April 2013, businesses will only be subjected to health and safety inspections if they are undertaking high risk activities such as construction or if they have had a health and safety related incident or poor track record in that regard. This reduction in bureaucracy is to enable small businesses to focus their energies on commercial concerns.

Energy Collectives: It has been decided to move away from the idea of setting up an Essex Energy collective. We have decided that our efforts are better focused on individual energy reduction measures for our residents, which provide residents with sustainable long term benefits.

Partnership working with Greenfields to help reduce energy consumption:

Officers have been working with Greenfields Housing Association to help them seek national funding initiatives to improve the efficiency of their housing stock; this work will enviably help tackle fuel poverty amongst their residents.

Free dog health checks: The Dog Wardens have teamed up with PDSA to help dog owners in the district keep their dogs in the best of health. During September owners can take their dog along to a PetCheck vehicle and get a free pet health check the

PDSA will also offer micro chipping and nail clipping. This initiative is designed to help dog owners, who are experiencing financial difficulties, care for their animals.

Rogue Trader: A joint investigation and prosecution by officers from Braintree and Babergh District Councils resulted in a prosecution of a rogue trader from Acton who, having advertised as a rubbish removal company on Facebook, collected waste from residents in both districts and then fly tipped the waste in both Council's areas.

LANDSCAPES AND COUNTRYSIDE

Hoppit Mead: Surveys are being carried out as part of the work to achieve Local Nature Reserve designation.

Silver End Memorial Gardens: The second phase was opened in September, with the stepping stone pathway dubbed 'The Walk of Life'.

Halstead River Walk – Officers are assisting with the formation of and support for a new Friends Group which will help with the management of the recently upgraded river walk and progress plans for the delivery of the eastern section of the River Walk, which is now being tendered for. Works are due to commence around the middle of October.

Mill Green, Mill Chase, Halstead –The interpretation boards are now ready to be installed.

COMMUNITY SAFETY

Crucial Crew: Was delivered to 1,633 Year 6 (10/11 Year Old) students (including 20 students from Southview School) This was 200 more students than last year, 48 out of 49 School in the District attended the project from 26th June to 5th July. 8 workshops were delivered by Partnership Agencies.

Responding to Domestic Abuse: A workshop has been arranged for 16th October the aim of which is to support educational staff in coping with disclosures and to provide a greater awareness of the issues and impact of Domestic Abuse affecting the young. This is aimed at Schools (Pastoral Staff and Primary School Heads) College and Children's Centre Staff.

Anti-Social Behaviour: This year has been very quiet with the number of reports to the Police 20% lower for the same period last year (April – September). Whilst reports were received, these were spread across the District, as opposed to specific hot spot areas. The partnership continues to embed the Community Led Solutions approach to addressing ASB with residents being an active part of the solutions.

Cllr Mrs Wendy Schmitt
Cabinet Member Place

Further information on the contents of this report can be obtained by contacting:

Contact:	Cllr Mrs W Schmitt or Cllr Robert Mitchell
Designation:	Cabinet Member and Deputy
E-mail:	



COUNCILLOR CHRIS SIDDALL – CABINET MEMBER PROSPERITY AND GROWTH

Report to Council on Portfolio area of Prosperity and Growth for the period ending 21st September 2012

Agenda No: 11(i)(f)

REPORT COVERS ACTIVITY ENDING Friday 21st Sept 2012:

Portas Pilot Launch

Friday 7th September saw the launch of our Portas Pilot. Hundreds of shoppers took a walk 'under the arches' in Braintree to celebrate the town's success in gaining Government funding to boost the town's fortunes. The event was held on Friday 7th September, in the arches at Market Street (near Tesco) Braintree and offered up and coming businesses the opportunity to get a taste of the high street with pop up market stalls.

Around 500 shoppers visited throughout the day which saw the area transformed with stalls selling vintage clothing, homemade chocolate and cakes, crafts and jewellery. Retailers were also provided with an opportunity to chat with the Leader of the Council and the Cabinet Member for Prosperity about the Portas Pilot project whilst relaxing in a pop up café sponsored by Costa Coffee.

One of the key purpose of this event and my role was to share a cup of coffee sit down and listen to retailers and businesses in Braintree Town and give them an opportunity to speak openly about any thing they cared to raise, this was very useful and I had a steady stream of visitors both retailers and shoppers who shared their views, all of this information will be invaluable as the Portas Pilot moves forward.

The launch was also attended by the leader of the Council, our MP Brooks Newmark and many other councillors who came along to help, meet the public and retailers, thank you to all those who took time out to help (including officers).

The Indi Card scheme

A new incentive scheme for shoppers, designed to boost business in Braintree, Witham and Halstead was launched in Braintree on Friday 7th September. The Indi card, developed in association with local traders, offers a range of benefits, such as money-off and free goods, to encourage shoppers to spend their money in their local towns.

Working in partnership with the Braintree & Witham Times, the most attractive 3 to 4 indi card offers are featured in the newspaper each week, this has proved to be a successful method of advertising the scheme and the retailer offers.

Everyone over 16 can pick up a FREE Indi card from participating stores, town hall, museum and local libraries, which can be used straight away by shoppers keen to start

saving money. To date over 2,000 cards have been issued to shoppers.

BCSC (British Council for Shopping Centres) conference event Liverpool

As part of becoming a Portas Pilot we were given a small area on the Portas Pilots stand at this important conference and exhibition in Liverpool. The conference was billed as a major event for the shopping centre industry and retail property professionals providing access to over 3,000 top decision makers including shopping centre managers, owners and developers, agents and consultants, local authorities, major retailers, marketers and communication professionals.

Alison Jennings our Regeneration Manager and I attended the conference on the 10th and 12th September to represent our Town team. It was a very good opportunity to make contact with many people in the retail industry, and also to meet up with some of the other Portas Pilot towns. Mary Portas was the Keynote speaker and we were able to listen to her vision for our town centres and high streets. She also took time to come and meet us on the Portas stand to discuss our plans for Braintree and was particularly impressed with our 10p after 3 parking scheme and wanted to know all about it. One point she made in particular, was this is about everyone in the town centres getting together and forming a vision about what they want to achieve and this has to include retailers, business's & Councils and without cooperation on all parts the Town Teams would not succeed.

Mary visited the Braintree District Council stand at the exhibition and was impressed with the clear marketing messages and the positive energy of the team.

Portas Pilot 2nd National Event – Croydon Town Hall 20th September

This event was attended by Jon Hayden Corporate Director and myself. Key speaker's at this event included: Mark Prisk – MP Minister of State DCLG, Mary Portas, and presentations from the town teams from Market Rasen, Liskeard and Stockton-on-Tees, all the Portas Pilot towns were in attendance and it was lively and very interactive opportunity to discuss the challenges and opportunities involved with being a Portas Pilot town.

First "Braintree Town Team" Meeting scheduled for October 1st - 6pm Causeway House

This meeting will represent the first meeting for the "Braintree Town Team", the main purpose will be to bring together all those who are interested in getting involved, I want this very much to be a "Town Team" driven by the retailers and business's of Braintree town itself but working closely with the Alison Jennings and myself.

What about Witham and Halstead?

BDC have worked with Witham & Halstead who have recently submitted bids to Communities & Local Government department for £10,000 to deliver elements of their Portas Pilot Bids. Brookes Newmark & Priti Patel are lobbying the Secretary of State in support of these bids.

I am absolutely determined that anything we learn as we move forward with the "Braintree Portas Pilot" can be and should be shared and rolled out to our other key towns in the district if possible. Discussions have already taken place with key partners in Witham and Halstead about how best this can work, this is a key part of what the Portas Pilot scheme is all about, not only can we learn from our own pilot but we can also tap into the successful work of all the Portas Pilots throughout the country.

Halstead Town Team – First Meeting to be held on the 3rd October. This is following amalgamation Town Centre Strategy Group & newly formed Town Team

Cllr Chris Siddall Cabinet Member – Prosperity and Growth

Further information on this report can be obtained by contacting: Cllr Chris Siddall Tel 01376 565302

Contact:	Cllr Chris Siddall
Designation:	Deputy Leader of the Council
E-mail:	cllr.csiddall@braintree.gov.uk



LIST OF PUBLIC MEETINGS HELD SINCE LAST COUNCIL MEETING		Agenda No: 11(iv)
Corporate Priority: Report presented by: Report prepared by:	Not applicable Not applicable Alastair Peace – Member Servic	ces Manager
Background Papers: P listed within the report be	ublished Minutes of the meetings low.	Public Report
Options: Report for noting		Key Decision: No

Executive Summary:

Since the last Council meeting held on 30th July 2012, the following minutes have been published for the meetings held in public session:

- Planning Committee 24th July 2012 (1)
- Local Development Framework Sub-committee 25th July 2012 (2)
- Council 30th July 2012 (3)
- Braintree District Local Highways Panel 31st July 2012 (4)
- Planning Committee 7th August 2012 (5)
- Planning Committee 21st August 2012 (6)
- Braintree District Local Highways Panel 10th September 2012 Planning Committee 11th September 2012 (7)
- (8)
- Licensing Committee 12th September 2012 (copy to follow) (9)
- Governance Committee- 19th September 2012 (copy to follow) (10)
- Cabinet 24th September 2012 (11)
- Planning Committee 25th September 2012 (copy to follow) (12)
- Overview and Scrutiny Committee 26th September 2012 (copy to follow) (13)
- Local Development Framework Sub-committee 27th September 2012 (copy (14)to follow).

Decision:

Members are invited to note the minutes published.

Purpose of Decision:	Not applicable
Officer Contact:	Alastair Peace
Designation:	Member Services Manager
Ext. No.	2602
E-mail:	alastair.peace@braintree.gov.uk