

Minutes

Cabinet



2nd June 2008

Present:

Cabinet Members	Portfolio	Present
Councillor G Butland	Leader	Yes
Councillor N R H O Harley	Deputy Leader and Cabinet Member for Enterprise, Culture & Leisure	Yes
Councillor Mrs J C Beavis	Customers & Communication	Yes
Councillor M C M Lager	Efficiency & Resources	Yes
Councillor Mrs J W Schmitt	Communities & Housing	Yes
Councillor R G Walters	Environment and Sustainability	Yes

Deputy Cabinet Members	Portfolio	Present
Councillor N G McCrea	Leader's Portfolio	No
Councillor T S Wilkinson	Enterprise, Culture & Leisure	Yes
Councillor D L Bebb	Customers & Communication	Yes
Councillor J McKee	Efficiency & Resources	Yes
Councillor Mrs E Edey	Communities & Housing	Yes
Councillor R G S Mitchell	Environment and Sustainability	Yes

The following Councillors were also present as invitees of the Leader

Councillor J E Abbott, Leader of the Green Group
 Councillor R J Bolton, Chairman of Halstead Local Committee
 Councillor Dr R L Evans, Leader of the Labour Group
 Councillor T J W Foster, Chairman of Witham Local Committee
 Councillor M G Gage, Chairman of the Overview and Scrutiny Committee/Leader of Halstead Residents' Association

Councillors J E B Gyford, E R Lynch, D Mann and Miss M Thorogood were also in attendance.

An apology for absence was received from Councillor S M Walsh, Chairman of Braintree Local Committee.

1 **DECLARATIONS OF INTEREST**

The following Declarations of Interest were made

- Councillor T J W Foster declared a personal interest in Agenda Item 5(a) –

Second Runway at Stansted Airport, as his company has been involved with maintenance work on the existing runway at Stansted.

- Councillor R G Walters declared a personal interest in Agenda Item 6(a) – Proposed Working with the Haven Gateway Partnership, as he is known by its Chairman, George Keefer.

In accordance with the Code of Conduct both Members remained in the meeting for these items and took part in the debate and decision thereon.

2 **MINUTES**

DECISION: That the minutes of the meeting of the Cabinet held on 31st March 2008 be approved as a correct record and signed by the Leader.

3 **QUESTION TIME**

There were no questions asked or statements made.

4 **SECOND RUNWAY AT STANSTED AIRPORT**

Councillor Harley, Cabinet Member for Enterprise, Culture & Leisure presented the Council's opposition to the proposed second runway at Stansted Airport on environmental and climate change issues; failure to address local infrastructure and public transport links, and the completion of improvements to the A120 east of Braintree. Business issues in the area also had to be considered.

The Cabinet affirmed this opposition, and spoke on the adverse consequences of the proposal including government policy, expensive fuel implications and the decline in air passenger numbers. The need for improved road and rail links to serve Colchester, Harwich, Ipswich, Norwich and Bury St Edmunds was emphasised, the noise impact of increased flights, traffic growth and a significant increase in carbon emissions. The effective campaign of Stop Stansted Expansion to the proposals was noted, and the work of the Campaign to Protect Rural Essex.

DECISION:

- (1) That Uttlesford District Council be advised that Braintree District Council is opposed to the development of a second runway and associated facilities at Stansted Airport, in view of its adverse environmental impact and its implications for climate change.
- (2) That the application fails to address the infrastructure deficit to the east of the airport, including the completion of the A120 improvement between Braintree and Marks Tey and the provision of high quality public transport links.

5 **REVISION TO THE COUNCIL'S CONTAMINATED LAND STRATEGY**

Cabinet received proposals to update the Council's Contaminated Land Strategy, including statutory requirements to identify contaminated land, potentially radioactive sites and revised timescales.

DECISION: That the revised Contaminated Land Strategy be adopted.

6 **PROPOSED WORKING ARRANGEMENTS WITH THE HAVEN GATEWAY PARTNERSHIP**

Councillor Harley, Cabinet Member for Enterprise, Culture & Leisure referred to the presentation by the Chief Executive of the Haven Gateway Partnership (HGP) to Cabinet members, the geographical spread of the Partnership, and the successful achievement of unlocking funds to the area. Braintree District Council has many similar issues with the HGP including improvement of skills and encouraging business opportunities, and the potential to focus on the A12 corridor and the impact of the A120 on the region.

Councillor Abbott considered that the report did not address sustainability issues sufficiently and was advised by the Leader there would be numerous opportunities to feed into discussions with the HGP, and ensure that additional resources do not 'bypass' Braintree and authorities in Brentwood, Chelmsford and Maldon, on the outer edge of the HGP area.

DECISION: That the (draft) Memorandum of Understanding between the Council and the Haven Gateway Partnership be endorsed.

7 ****ALLOCATION OF GRANT FROM THE LOCAL BUSINESS GROWTH INCENTIVE SCHEME (LABGI)**

Cabinet received details of an additional grant of £136,000 received from the government's Local Authority Business Growth Incentive Scheme, with £45,000 allocated to the next Economic Development Strategy and the remaining £91,000 proposed for local projects over a four-year plan. These projects are aimed at the economic agenda for the District, and will require consideration and approval by the local strategic partnership, PACT.

DECISION: That £91,000 of the LABGI grant be allocated to local projects which focus on the District's economic ambitions and support the Community Strategy, and will require consideration and approval by PACT.

8 **RISK MANAGEMENT – HALF YEARLY REVIEW**

Councillor Lager, Cabinet Member for Efficiency and Resources, presented the report on the Council's strategic risk register and database, including the reviews and tolerance levels.

DECISION:

- (1) That the changes to the schedule of strategic risks be accepted.
- (2) That actions plans for those risks with risk ratings above the risk tolerance line be prepared and presented to the next meeting of the Audit Committee.

9 **CAPITAL PROGRAMME UPDATE**

Councillor Lager, Cabinet Member for Efficiency and Resources, referred to the current

situation with spiralling costs affecting the construction industry, that had resulted with tenders for two projects being in excess of their budget provision. The report presented details of tenders for the Silver Street pavilion, Silver End, and the car park and entrance roadway at Spring Lodge, Witham.

At the Chairman's discretion Item 8(c) Rickstones Pavilion, Witham (Extract from Witham Local Committee – 1st May 2008) was moved forward on the agenda, as the scheme was included in the Capital Programme report. Councillor Foster, Chairman of Witham Local Committee, explained that a fire inspection had identified the Pavilion as unsafe and that urgent remedial work was required. Users of the Pavilion, including Little Elms Pre-School, had been relocated to Spring Lodge, Witham and a deposition of mothers and Pre-School teachers had lobbied the Committee for a return to the Pavilion, as Spring Lodge was unsuitable for them. Both Councillor Foster and the Cabinet Member, Councillor Mrs Schmitt was delighted that £40,000 had been allocated for the scheme and a potential return in the autumn for the Pre-School.

Councillor Abbott referred to the main Capital Programme report and expressed concern that he had not been involved in the tendering process for the Silver Street Pavilion, as the Ward Member. Details of the specification had also not been made available to him and involvement by local Members in such schemes was questioned. The Leader advised that specification of the Silver Street Pavilion is to be considered at Witham Local Committee on 15th July 2008, where all Local Members will have input. Other Members agreed that local Ward Members should be involved in tendering for works to public buildings in their area, prior and during the process. The Leader advised that specifications for schemes on public buildings will be received at the Local Committee for comment.

DECISION: That it be **RECOMMENDED TO COUNCIL:-**

- (1) For the requests of additional funding for the Silver Street Pavilion, Silver End; and the car parking and roadway improvements at Spring Lodge, Witham to be approved. Funding of the required budgets from the unused balance of capital resources (£91,000) and a revenue contribution (£157,410).
- (2) That the additional allocation of capital grant of £193,200, as notified by GO East be approved, and is added to the budget for Grants to Private Sector Housing.

ACTION POINT: That the Chief Executive ascertains why the Ward Member was not kept informed of the tendering process at Silver Street Pavilion, Silver End.

10 **BEST VALUE PERFORMANCE PLAN 2007-2008**

Councillor Lager, Cabinet Member for Efficiency and Resources, advised that the Council's statutory duty to publish its Best Value Performance Plan (BVPP) would not be required in the future, and that it had provided performance and target data that was compared with other authorities on a local and national level. Performance indicators had shown improvements during 2007-2008, and top quartile records had increased. However, some of the data required further review and the final version of the BVPP

would be received and 'signed-off' at the Performance & Efficiency Programme Board on 24th June 2008.

DECISION: That the Best Value Performance Plan 2007/2008 be noted.

11 **QUARTERLY PERFORMANCE FOR JANUARY – MARCH 2008**

Cabinet received the Quarterly Performance report for Quarter 4, January to March 2008.

DECISION: That the Quarterly Performance report for January – March 2008 be endorsed.

12 **FINANCIAL OUTTURN 2007/08**

Councillor Lager, Cabinet Member for Efficiency and Resources, referred to the General Fund Revenue Account and explained that expenditure surplus had been realised by over-achievement on income, due chiefly to high interest rates, improved income and delays in filling vacant posts within the Council.

References to the Housing Revenue Account were noted, and the Capital Programme situation where significant final bills are awaited, i.e. the Braintree Pool.

Councillor Gage queried the need for a 4.3% increase in Council Tax in April 2008, when the financial results record improved income. The Leader explained that savings are consistently sought, and the Council also has to provide services requested by the public, i.e. CCTV provision in town centres.

DECISION:

(1) That the financial outturn for 2007/08 and proposed action for the Medium Term Financial Strategy be accepted.

(2) That the capital budgets, as detailed in Appendix B of the report, be carried forward to 2008/09.

13 **SHAPING UP FOR EXCELLENCE – CORPORATE IMPROVEMENT PLAN 2008/2009**

The Leader presented the report on the Council's objectives and how it can 'shape up' collectively and achieve its' goal of excellence in all aspects of approach and delivery.

DECISION: That the Corporate Improvement Plan 2008/2009 be endorsed.

14 **INVESTORS IN PEOPLE REPORT**

The Leader and Cabinet Members expressed their congratulations to all staff and managers on retention of the Investors in People award for a further three years.

DECISION: That the Council's successful retention of the Investors in People standard be noted.

15 **PUBLIC ATTITUDES TO LOCAL GOVERNMENT AND MEASURING CUSTOMER SATISFACTION**

Council Bebb, Deputy Cabinet Member for Customers and Communication, presented the report on satisfaction levels of customers using the Council's services. Member's attention was drawn to Appendix 3 of the report – Short Term Actions by 31st July 2008. Councillor Mrs Beavis, Cabinet Member for Customers and Communication, moved the report.

DECISION:

- (1) That the report be endorsed.
- (2) That the results for the Braintree District of the Local Area Agreement Tracker Survey (carried out in December 2007) be noted.
- (3) That the short-term Action Plan (Appendix 3 of the report) be endorsed.
- (4) That a comprehensive Marketing and Campaigns/Communication Strategy and Action Plan be prepared and received at Cabinet in September 2008. This will link communication, customer views, performance information and other improvements to increase awareness of the Council's services, shape and target services, to improve customer satisfaction and identify efficiencies.

ACTION POINT:- Report to 1st September 2008 Cabinet meeting

16 **REFERENCE FROM COUNCIL MEETING 18TH FEBRUARY 2008 – REFUSE AND RECYCLING TASK & FINISH GROUP**

Councillor E R Lynch, Chairman of the Refuse and Recycling Task & Finish Group, presented the report and its findings. Reference was made to the recommendations on Page 5 of the report including the Council's side waste policy and for fortnightly waste collections in rural areas to be rolled out across the District. A waste recycling centre in the north of the District would be beneficial; investigation into outdoor storage at terraced homes, and to compare costs with neighbouring authorities.

Councillor Walters, Cabinet Member for Environment and Sustainability, welcomed the recommendations and advised that some are already being considered and implemented. The remainder would be considered and a report made to Cabinet on 7th July 2008.

Members welcomed the reports of the Task and Finish Groups (including the following Democratic Renewal report), and their recommendations, and looked forward to seeing efficient and effective actions on their findings.

ACTION POINT: Report and recommendations to 7th July 2008 Cabinet meeting.

17 **REFERENCE FROM COUNCIL MEETING 14TH APRIL 2008 – DEMOCRATIC RENEWAL TASK & FINISH GROUP**

Councillor Gyford, Chairman of the Democratic Renewal Task & Finish Group, presented the report and its findings, and referred to the recommendations on Page 15 of the report. Members were informed that, in hindsight, the Group should have researched more than two Beacon authorities for their electoral services function – as Swindon Council had developed their electronic voting facility, and as the government are not looking for this in the future, Braintree District Council will not now be able to experience this.

The Leader stated that the 11 recommendations would be basically supported, and taken forward by the Returning Officer and the Democracy Manager. However, attention was drawn to Recommendation 3 and possible legal action for failing to register and that the final letter should emphasise the consumer benefits of registration, and encourage people to participate. Recommendation 4 on the use of external organisations, i.e. estate agents, was also queried, and that a link could be made with the existing Council Tax system.

In response, Councillor Gyford stated that the Group had formed a view that in Recommendation 3, people did not take the matter seriously or realise it was an offence not to register. Therefore, it required clarity to draw attention to the offence and its' penalties. With regard to Recommendation 4 it was noted that other authorities draw supplementary information from estate agents in their area, during the year.

Members also considered that to communicate with 18 year olds a birthday card was not 'exciting'; and that the Council had to allow for the budgetary implications of the proposals, including personal visits to address non-registration. However, the report had identified that 'knocking on doors' was the only solution.

The Leader thanked the Chairman and Group Members for their report that is agreed, in principle, with budget consequences and other issues to be explored.

18 **REFERENCE FROM WITHAM LOCAL COMMITTEE 1ST MAY 2008 – RICKSTONES PAVILION & LITTLE ELMS PRE-SCHOOL**

At the Chairman's discretion this item was brought forward on the agenda and discussed within the Capital Programme Update (Minute 9 refers).

19 **BRAINTREE SWIMMING CENTRE SUB GROUP**

Consideration was given to the minutes of the Braintree Swimming Centre Sub Group held on 19th March and 23rd April 2008.

DECISION: That the minutes of the meetings of the Braintree Swimming Centre Sub Group of 19th March and 23rd April 2008 be noted.

20 **LOCAL GOVERNMENT REFORM CABINET SUB GROUP**

Consideration was given to the minutes of the Local Government Reform Cabinet Sub Group held on 7th April 2008.

DECISION: That the minutes of the meeting of the Local Government Reform Cabinet Sub Group of 7th April 2008 be noted.

21 **LONDON 2012 CABINET WORKING GROUP**

Consideration was given to the minutes of the London 2012 Cabinet Working Group held on 28th February 2008. Councillor Wilkinson, the Groups Chairman advised that the Partnership Event planned for 6th July 2008 had been cancelled, as the venue was unavailable.

DECISION: That the minutes of the meeting of the London 2012 Cabinet Working Group of 28th February 2008 be noted.

22 **PERFORMANCE & EFFICIENCY PROGRAMME BOARD**

Consideration was given to the minutes of the Performance & Efficiency Programme Board held on 12th May 2008.

DECISION: That the minutes of the meeting of the Performance & Efficiency Programme Board of 12th May 2008 be noted.

23 **DELEGATED DECISIONS**

That the following delegated decisions be noted

- (i) Councillor Harley – to approve the Castle Hedingham Village Design Statement
- (ii) Councillor Mrs Schmitt – to agree to the increase in Major Housing Grant awarded above the maximum level of £15,000, to cover unforeseen works
- (iii) Councillor Butland – to sign-off the final version of the Corporate Action Plan 2008/09
- (iv) Councillor Harley – in response to the Regional Spatial Strategy, with regard to Gypsies and Travellers.

24 **APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE ORGANISATIONS**

DECISION: That the following appointments be made for the 2008/09 Civic Year:

Organisation

Councillor

Blackwater Neighbourhood Board

Mrs E Edey
A V E Everard
Mrs J W Schmitt

Braintree District Access Group

Lady Newton

Braintree District CAB Management Board	F Swallow
Braintree District Voluntary Support Agency	Mrs S Howell
Braintree Enterprise Units Managing Body	N R H O Harley
Business Development Services (NW Essex)	N R H O Harley T S Wilkinson
County Youth Strategy Group	A Meyer Mrs J W Schmitt
Essex Health Overview and Scrutiny Committee	A F Shelton
Essex Supporting People Commissioning Body	Mrs J W Schmitt
Great Notley Country Park – Joint Governance	G Butland R G Walters
Leisure Partnership Consultative Board	N R H O Harley T S Wilkinson
Local Government Information Unit	T S Wilkinson
Responsible Authority Group	Mrs J W Schmitt
South Anglia Group	Mrs J W Schmitt
Waste Management Advisory Board for Essex/S'end	R G Walters
West Area Waste Management Joint Committee	R G Walters R G S Mitchell (Sub)

25 **APPOINTMENTS TO CABINET GROUPS/BOARD**

DECISION: That the Membership of the following Cabinet Groups/Board for the 2008/09 Civic Year be agreed.

- (a) Braintree Swimming Centre Sub-Group: Councillors G Butland, A V E Everard, E R Lynch, A F Shelton and Mrs J W Schmitt.
- (b) Joint Consultative Group: Councillors Mrs J C Beavis, G Butland, and R G Walters.
- (c) Local Government Reform Cabinet Sub Group: Councillors J E Abbott, Mrs J C Beavis, G Butland, Dr R L Evans, M G Gage, N G McCrea and J McKee.
- (d) London 2012 Cabinet Working Group: Councillors Miss L Barlow, Mrs J C Beavis, A V E Everard, N R H O Harley, Mrs J M Money and T S Wilkinson

- (e) Performance & Efficiency Programme Board: Councillors J E Abbott, M J Banthorpe, G Butland, Dr R L Evans, D L Hume, M C M Lager, J McKee and Mrs C Sandbrook.

26 **REPORTS FROM CABINET MEMBERS ON ISSUES THAT NEED TO BE BROUGHT TO THE CABINET'S ATTENTION**

There were no reports from Cabinet Members.

EXCLUSION OF PUBLIC AND PRESS

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

27 **REPORTS FROM CABINET MEMBERS ON ISSUES THAT NEED TO BE BROUGHT TO THE CABINET'S ATTENTION (PRIVATE SESSION)**

There were no reports.

The meeting commenced at 7.15pm and closed at 8.57pm

G BUTLAND

(Leader)

