

COUNCIL AGENDA



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Date: Monday, 30th July 2012

Time: 7:15pm

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

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 (Chairman)	Councillor G Butland	Councillor C A Cadman
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/councildemocracy>

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 out the following information:

Meeting AttendedDate 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 alastair.peace@braintree.gov.uk

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 11th June 2012 (Copy previously circulated).
6. **Policy Recommendations and References – Cabinet – 16th July 2012.**

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

- a) **Capital Investment in New Fitness Facilities at Braintree Swim Centre and Braintree Leisure Centre** (Page 1).
- b) **Award of Witham Leisure Centre Design and Build Contract** (Page 6).
- c) **National Planning Framework (also from the Local Development Framework Sub-committee - 23rd May 2012)** (Page 20).

7. **Policy Recommendations and References – Overview and Scrutiny Committee – 11th July 2012.**

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

- a) **Task and Finish Group – Scrutiny of the Council’s Land and Property Investment Policies** (Page 30).

8. **Appointment of Monitoring Officer** (Page 33).

9. **Question Time Reports for 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 (Page 35);
- b) Councillor Beavis, People (Page 40);

- c) Councillor Lady Newton, Prosperity (Page 42);
- d) Councillor Schmitt, Place (Page 44);
- e) Councillor Siddall, Performance (Page 47).

- (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.

- a) Councillor Lager, Chairman, Governance Committee. To receive the Annual Report of the Audit Committee 2011-12 (Page 49);

- (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the Council meeting on 11th June 2012. (Report attached – Page 53).

10. **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.***

- 11. 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.

12. **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

13. **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 13(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 11th June 2012.

14. **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 53.

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Recommendations from Cabinet, 16th July 2012	Agenda No: 6a
Capital Investment in New Fitness Facilities at Braintree Swim Centre and Braintree Leisure Centre	
Portfolio Area: Performance Councillor Siddall, Cabinet Member, Performance	
Background Papers:	Public Report

Minute Extract:
CABINET – 16TH JULY 2012
24. <u>CAPITAL INVESTMENT IN NEW FITNESS FACILITIES AT BRAINTREE SWIM CENTRE AND BRAINTREE LEISURE CENTRE</u>
DECISION:
1. That the investment of £945,000 in new fitness facilities at Braintree Leisure Centre and Braintree Swim Centre which generates a revenue return from Fusion to the Council be supported.
2. That it be recommended to Council that £945,000 be allocated from the Council's capital funds for this purpose.
<i>(Note recommendation in decision No. 2 for Council consideration only.)</i>
REASON FOR THE DECISION: To allow the Council to make the capital investment in new fitness facilities in the Braintree area for an annual revenue return from Fusion, the new leisure management contractor.

Cabinet
16th July 2012



Capital Investment in New Fitness Facilities at Braintree Swim Centre and Braintree Leisure Centre	Agenda No: 6b
Corporate Priority: Safe and Healthy Living; Value for Money Portfolio Area: Performance Report presented by: Cllr Chris Siddall Report prepared by: Nicola Beach	
Background Papers: 1. Cabinet report 9 th June 2011 on Leisure Services and procurement of a new leisure management contract; 2. Cabinet report 9 th May 2012 Award of New Leisure Contract.	Public Report: Yes
Options: To recommend to Council or not the use of capital funds to invest in new fitness facilities in the Braintree area	Key Decision: Yes
Executive Summary <p>On the 9th May 2012, Cabinet approved the award of the new leisure management contract to Fusion Lifestyle based on their mandatory variant bid. In the mandatory variant bid, bidders were required to put forward proposals to increase the fitness capacity in the Braintree area. Fusion's plans are to expand the fitness suite and studio capacity at Braintree Leisure Centre (BLC) and put in a new fitness suite and studio capacity at Braintree Swim Centre (BSC).</p> <p>In the accepted tender from Fusion, the Council will receive an annual contract payment from year 1 (2012/13) over the next 10 years. At time of contract award this figure was £94,457 per annum although this may vary with final arrangements on pension schemes (as reported to Cabinet in June 2012). This payment is based on Fusion paying for the capital investment required to improve fitness facilities at Braintree Swim Centre and Braintree Leisure Centre. Fusion proposes to complete this work in the autumn of 2013.</p> <p>Alternatively, the Council has the option of procuring and funding the building works to increase the fitness capacity at Braintree Swim Centre and Braintree Leisure Centre, which could still be provided by Fusion. If the Council procures the improvement works at a cost of £945,000 then Fusion proposes to pay the Council an additional revenue payment of £129,505 per annum from year 1 of the contract over 10 years (this is over and above the £94,457).</p> <p>On the 9th May, Cabinet supported the proposal to open discussions with Fusion in respect of the Council making a capital investment. These discussions have now taken place and the proposal for the Council to procure the improvement works and receive a</p>	

revenue return from Fusion (as set out above) is on the basis of:

- Fusion provide building improvement works to Braintree Swim Centre and Braintree leisure Centre at a fixed price of £945,000
- Fusion take full responsibility for the design and project management of the works, in accordance with their submission under the mandatory variant bid
- Fusion's costs of managing these improvement works are included in the £945,000, there are no additional costs to the Council;
- Fusion will provide all the fitness equipment and other kit needed for the new studios and fitness suites within the contract price;
- The investment by the Council will guarantee a revenue return from Fusion of £129,505 per annum from year 1 of the contract (from Sept 2012) over 10 years;
- The Council will pay Fusion in staged payments linked to the works programme and based on evidence by work done to date;
- Fusion take all risks on the project, which includes:
 - the cost of the works being higher than estimate of £945,000;
 - the works taking longer to complete than autumn 2013; the revenue return to the Council remains fixed;

- The risks retained by the Council are those already built into the main contract such as delays or problems caused by latent defects with Braintree Swim Centre, or if the Council requests a change in scope or timing of the improvement works;
- If Fusion make a contractors profit in excess of 10% of the fixed price of providing £945,000 then Fusion will agree to refund 50% of this surplus to the council.

Decisions:

- 1) For Cabinet to support the investment of £945,000 in new fitness facilities at Braintree Leisure Centre and Braintree Swim Centre which generates a revenue return from Fusion to the Council;
- 2) Recommend to Council the allocation of £945,000 from the Council's capital funds for this purpose.

Purpose of Decision:

To allow the Council to make the capital investment in new fitness facilities in the Braintree area for an annual revenue return from Fusion, the new leisure management contractor.

Any Corporate implications in relation to the following should be explained in detail

Financial:

The Council has the option of procuring the improvement works to increase the fitness capacity at Braintree Swim Centre and Braintree Leisure Centre, as set out by Fusion in its mandatory variant bid. If the Council procures the improvement works (estimated to be £945,000) then Fusion proposes to pay the Council an additional annual revenue payment of £129,505 from year 1 of the contract over 10 years. Work to be completed in autumn 2013.

	<p>This will be a fixed price contract (£945,000) for the Council with a guaranteed revenue return of £129,505 per annum over the 10 years of the contract.</p> <p>Consideration could be given to using part of the revenue return generated to replenish the capital budget of the Council over a 10 year period; this means that of the £129,505 pa guaranteed revenue return, £94,500 pa would be put back into capital funds.</p> <p>The rate of return on the investment is 3.7% per annum which is significantly greater than currently being achieved from the Councils other investments.</p>
Legal:	<p>The agreement between the Council and Fusion as to the terms and conditions of this investment will be an addendum to the new leisure contract. The final drafting of this will be done by Walker Morris, external legal advisors engaged on the leisure project.</p> <p>Under the Constitution Article 16 – Finance, Contracts and Legal Matters (section A16.2.2), the Corporate Director will agree and sign off the final addendum in consultation with the Corporate Director for Finance and Head of Governance.</p>
Equalities/Diversity	<p>The new leisure contract will adhere to the Council's equality and diversity policies; an equality impact assessment will be carried out on any changes to policies and service levels under the new specification, including any improvement works carried out to leisure centres, e.g. ensure appropriate access for people with disabilities.</p>
Customer Impact:	<p>The investment in new fitness suite and studio capacity at Braintree Swim Centre and Braintree Leisure Centre will significantly improve the leisure service on offer to customers living and working in the Braintree town area as the current fitness facility at Braintree Leisure Centre is small and has limited use due to the joint use agreement. This expansion will ensure greater opportunity for the community to use this facility at all times of the day.</p> <p>Service disruption and therefore any detrimental impact to customers during the construction phase will be kept to a minimum and closely monitored by the Council and Fusion, with good customer communication in place.</p>
Environment and Climate Change:	<p>Fusion is proposing to implement the environmental ISO14001 standard across the contract and achieve the Carbon Standard at all sites too.</p>
Consultation/Community Engagement:	<p>A leisure bulletin is produced and regularly circulated to all stakeholders including sports groups and clubs, leisure staff, councillors, parish and town councils. These bulletins will continue throughout the new contract and cover the progress of improvement works.</p>

<p>Risks:</p>	<p>The risks to the Council of this investment proposal are low as Fusion will take all the risks associated with the procurement, design, build, timescales and cost of the improvement works.</p> <p>One risk retained by the Council remains that associated with any latent defects at Braintree Swim Centre and/or Braintree Leisure Centre that affect the cost or progress of the improvement works. Both the Council (prior to tender) and Fusion have carried out a feasibility and cost assessment of these works. A further detailed technical survey of Braintree Swim Centre is planned.</p> <p>Another risk to the Council is that a licence for alterations is required from Freeport for changes made to Braintree Swim Centre as the Council leases the land from Freeport. Contact has been made with Freeport and this is being progressed with solicitors.</p> <p>There are two other risks associated with the new leisure contract and the Council's relationship with Fusion that are relevant to this proposal; both were previously reported to Cabinet in the 9th May 2012 report as below:</p> <ul style="list-style-type: none"> • New leisure contractor does not perform well and customer service is affected – bidders have been through a rigorous procurement process with previous performance and quality of bids assessed and references taken up; performance will be monitored by the Council on a monthly basis to help develop the service, but also spot any early warning signs of service dropping below acceptable standards. • Income assumptions prove to be wrong and financially the new contract fails – there has been detailed analysis of the bids using external and internal expertise to carry out checks on the financial part of the tenders.
<p>Officer Contact:</p>	<p>Nicola Beach</p>
<p>Designation:</p>	<p>Corporate Director</p>
<p>Ext. No.</p>	<p>2050</p>
<p>E-mail:</p>	<p>nicola.beach@braintree.gov.uk</p>

Recommendations from Cabinet, 16th July 2012	Agenda No: 6b
Award of Witham Leisure Centre Design and Build Contract	
Portfolio Area: People Councillor Beavis, Cabinet Member, People	
Background Papers:	Public Report

Minute Extract:

CABINET – 16TH JULY 2012

26. AWARD OF WITHAM LEISURE CENTRE DESIGN AND BUILD CONTRACT

DECISION:

1. That the design and build contract for Witham Leisure Centre be awarded to Barr Holdings Ltd; this award is subject to:
 - a) Council agreeing the revised project budget (see 2) below);
 - b) Completion of the lease with Essex County Council which now requires Secretary of State approval following new legislation on the use of educational land;
 - c) The first phase of the contract award with Barr Holdings Ltd will be an Early Works Agreement, which will only proceed to a full Design and Build Contract once the lease is completed.
2. That it be **recommended to Council** that an additional £473k of capital funding be allocated to the Witham Leisure Centre project.

(Note recommendation in decision No. 2 for Council consideration only.)

REASON FOR THE DECISION: To award the design and build contract subject to Council approving additional capital funding so that the project to design and build the new leisure centre for Witham can proceed.

Cabinet
 16th July 2012



Award of Witham Leisure Centre Design and Build Contract	Agenda No: 7a
Corporate Priority: People Portfolio Area: Safe and Healthy Living Report presented by: Cllr Mrs Joanne Beavis Report prepared by: Matt Mills	
Background Papers: Report and Minutes of Cabinet of 7 th December 2010, 28 th March 2011, 9 th June 2011 and 16 th July 2012.	Public report YES
Options: To award or not award the contract for the design and build of the new Witham Leisure Centre. To agree or not agree to recommend to Council the allocation of additional capital funding for the project.	Key Decision: YES
Executive Summary: Scope of project: In December 2010 Cabinet approved the scope of the new leisure centre for Witham. The scope of the centre was defined as including: <ul style="list-style-type: none"> • Six lane short course pool (25 x 13m) • Learner pool (13 x 13m), with moveable floor • Wet suite including sauna/steam room • Two small treatment rooms for physiotherapy/beauty treatments etc • Spectator facilities for 50 + viewing platform • Wet changing areas comprising changing village, group changing, family changing, toilets showers & lockers • 70-75 station fitness suite with free weights area • Two dance studios • Two squash courts • Dry changing area for fitness and exercise spaces • Reception • Office • Staff room • Staff changing • First aid room • Café area • Public toilets • Storage and plant areas • 100 car parking spaces • Emergency vehicle/ delivery parking 	

- Disabled parking
- Cycle parking

Hard courts (for tennis and netball) were added to the scope by Cabinet in March 2011 following discussion with Maltings Academy and the Academies Enterprise Trust.

Tender process:

Following receipt of PQQs (pre-qualification questionnaires) Braintree District Council shortlisted five companies following consultation with the Leisure Project Board which were agreed under delegated authority by the Cabinet Member. (The five shortlisted companies were Barr Holdings Ltd; Denne; Graham Construction; Kier Construction and Wilmott Dixon Construction Ltd).

At PQQ stage each contractor identified to take through to the next stage was subject to review of company accounts and credit checks by the Audit section. Ongoing credit checks will take place on the contractor awarded the design and build contract so that the Council can monitor the credit worthiness of the company and be aware of issues if they arise.

ITT (invitation to tender) documents were sent to the five shortlisted companies in October 2011 and tender documents were received from all five companies in December 2011.

Additional works:

Following review of these tender documents and in consultation with our project management consultants (Mott MacDonald), BDC arranged for further work on site to reduce risk to the Council and to contractors in relation to a number of planning conditions and other issues which had been identified throughout the tender process. BDC undertook a range of additional works on site including:

- further investigating the precise location of an on-site gas main and re-submitting planning permission to move the building 1.5m (planning consent received 12 June 2012)
- undertaking tree surveys in relation to nesting birds and bats
- removal of some trees in readiness for site access
- producing an archaeological written scheme of investigation
- undertaking a full archaeological survey on site
- undertaking further site investigations to check site conditions

During this time the old school buildings have been demolished and the Maltings Academy's new car park is under construction (now completed and handed over).

Tender re-issue and evaluation outcome:

Tender documents were re-issued to the five bidders in April 2012. One bidder withdrew from the process at this time due to competing priorities and therefore four bids were received on 4th May 2012.

Tenders have been evaluated by Mott MacDonald and BDC and a detailed assessment has taken place. Tenders have been carefully and robustly scored with 60% of marks being awarded for cost and 40% for quality.

The detailed technical evaluation was conducted on the following criteria: understanding the project; methodology; programme; key personnel and supply chain and health and safety.

A commercial (financial) evaluation was conducted concurrently with the technical evaluation and was based on the following criteria: competitiveness; consistence and suitability of costs and quantities; cost certainty and the suitability of the Activity Schedule.

The contractor with the highest score following this evaluation is Barr Holdings Ltd with a total score of 76.34%. [Note: a summary is provided below and detailed evaluation scores for all bidders are provided in the *Confidential Appendix* to this report in Part 2 of the Agenda]

Bidder	Score
Barr Holdings Ltd	76.34%
Bidder 2	72.02%
Bidder 3	70.04%
Bidder 4	56.66%
Bidder 5	No bid submitted

Contract award process:

Braintree District Council is awaiting Secretary of State consent which Essex County Council requires to release the land for us to build the new leisure centre. The County Council previously deemed Secretary of State consent was not required but due to recent changes in policy and legislation (Apr 2012) this position has changed. In order that we proceed with the project without delays and whilst we await this consent, the Council will award an early works agreement to undertaken pre-construction design activities only in the first instance and then proceed to a full design and build contract once consent is received. This process has the benefit of ensuring detailed design work begins on schedule and that risk is reduced to all parties should there be delays in obtaining Secretary of State consent as site based activities will not have commenced until approval is received.

Finances and budget:

The current overall budget for the whole project is £9.026 million. This budget was agreed by Cabinet as follows:

- £150,000 agreed in July 2009 (for early design work)
- £8,646,036 agreed in December 2010 (for project management and design and build costs)
- £230,000 agreed in June 2011 (for hard courts and legal fees)

All costs are subject to continued scrutiny and variation as more certainty is applied to the project throughout the design and tender stages. As we have reached tender submission stage build costs for the main contractor are now confirmed and the budget should be revised to account for this.

In addition to revisions to the budget based on the actual tender sums from the preferred bidder there is a requirement for further budget updates. Additional works already undertaken (e.g. site investigations, etc) and further works proposed (e.g. more legal work, discharge of planning conditions, etc) need to be accounted for within the revised budget.

The revised budget is as follows:

Main contractor build costs and build risk allowance, project management, design and other fees	£	9,170,000
Other consultants and legal costs	£	81,000
Planning fees, planning conditions, site works	£	95,000
MOVA system (to satisfy planning condition)	£	60,000
BDC internal project costs	£	18,000
BDC contingency	£	75,000
TOTAL	£	9,499,000

This represents an uplift of £473k over the original budget. Detail is provided within the *Confidential Appendix* to this report in Part 2 of the Agenda. This is in line with projections shared with the Member Leisure Project Board and through monthly corporate project reporting, which indicated that the original budget would be £420k short and that the extra site works required (eg surveys, archaeology and resubmission of planning) would cost an additional £75k. Detail on the individual budget lines can be seen in the body of this report.

The reason these variations have not been brought to Cabinet until now is that it was prudent to wait for tender returns to identify the actual value of bids before revising the budget to reflect the actual tender sums.

Decision:

- 1) To award the design and build contract for Witham Leisure Centre to Barr Holdings Ltd; this award is subject to:
 - a) Council agreeing the revised project budget (see 2) below);
 - b) Completion of the lease with Essex County Council which now requires Secretary of State approval following new legislation on the use of educational land ;
 - c) The first phase of the contract award with Barr Holdings Ltd will be an Early Works Agreement, which will only proceed to a full Design and Build Contract once the lease is completed.
- 2) To recommend to Council that an additional £473k of capital funding be allocated to the Witham Leisure Centre project.

Purpose of Decision:

To award the design and build contract subject to Council approving additional capital funding so that the project to design and build the new leisure centre for Witham can proceed.

Any Corporate implications in relation to the following should be explained in detail

Financial:

Award of the design and build contract will require £473k additional capital funding, details of which are provided in the main body of this report.

This funding can be met from capital resources anticipated to be £2.6million at the end of this year. (See Budget and Council Tax Report to Cabinet on 1st February 2012).

The demolition of Bramston Sports Centre and subsequent clearance of the site is out of scope of this project and is therefore not accounted for in the project costs. Unofficial estimates for demolition and clearance have been in the order of £400k but these estimates need to be market tested. The value of the site and options for future use are being explored with initial assessment done and separate work underway to progress this analysis. It is anticipated that the value of the land and any future development opportunities will offset the demolition costs.

The cost of replacement fitness equipment is excluded from the WLC budget as it is covered in the leisure management contract. The Council's new leisure operators will be providing all fitness suite equipment for the new leisure centre.

Legal:

Award of the design and build contract will be subject to a two week alcatel standstill period during which time unsuccessful bidders may mount a legal challenge to the award of the contract. The Council has and continues to take legal advice on all aspects of the contract award and procurement process.

Contracts with the design and build company and with our project management consultants are from the NEC3 suite of contracts (www.neccontract.com). These contracts allocate risk and responsibility appropriately to the various contractors and incorporate collateral warranties for consultants, sub-consultants and sub-contractors. These contracts have been agreed in a way which reduces risk to the Council in the event of any defects or problems inherent to the design and/or build of the project.

Additional specialist legal advice will be required to draft, negotiate and complete the early works agreement prior to award of the full contract. This additional legal work is needed due to the recent changes in policy and legislation related to Secretary of State consent. The early works agreement will allow the Council and its design and build contractor to proceed with the initial stages of the works (ie detailed design). This will proceed to the full design and build contract once Secretary of State consent is obtained and the land deal between Essex County Council and Braintree District Council is agreed. This approach ensures that the project can proceed and that

	<p>there are minimal cost risks to the Council.</p> <p>Under the Constitution Article 16 – Finance, Contracts and Legal Matters (section A16.2.2), the Corporate Director will agree and sign the final contract in consultation with the Head of Governance.</p>
Equalities/Diversity	<p>Design and build contractors had to submit their equalities and diversity policy and supporting information as a part of their pre-qualification questionnaire. Barr Holdings Ltd met requirements.</p> <p>The scope of the leisure centre includes a movable floor within the learner pool which has numerous benefits in increasing accessibility. There remains a good dialogue with Southview School and others to ensure the Leisure Centre meets the needs of all of our customers and will be a highly accessible leisure centre. Continued work with representative client groups and stakeholders will be undertaken as detailed designs progress.</p>
Customer Impact:	<p>The award of the design and build contract is later than early project plans identified. This means that the leisure centre is now planned to be opened around Christmas 2013. Customers will therefore continue to use Bramston Sports Centre for a longer period than originally planned.</p>
Environment and Climate Change:	<p>Design and build contractors had to submit their environmental policies and supporting information as a part of the pre-qualification questionnaire. Barr Holdings Ltd met requirements.</p> <p>The new leisure centre will meet BREEAM “very good” standards. This is a contractual obligation and is stipulated in planning conditions. Solar panels will be incorporated into the design and build as previously agreed.</p>
Consultation/Community Engagement:	<p>A range of stakeholders including sports groups who currently use Bramston Sports Centre, local schools, members of the public, leisure operators and Councillors and staff have been consulted on the designs to date and plans for continued engagement with users of the leisure centre are in place.</p>
Risks:	<p>Legal challenge to award of contract: See “legal” section above.</p> <p>Project scope changes: Changes to the scope of the project will cause delay and require additional financial resources. Robust project management and a clear and defined change control procedure are in place in order to manage any changes required.</p> <p>Unknown site conditions: Although additional site works have been conducted which has reduced unknowns associated with the site there is still a chance that other issues may present themselves as construction begins.</p>

	<p>The contractual arrangements in place allocate an appropriate level of risk between the contractor and Braintree District Council.</p> <p>Cost increase: Costs may increase with the project if the scope changes or if risk events materialise that are allocated to BDC within the contract. Any changes need to go through a clear and defined change control procedure to ensure all cost variations can be managed appropriately. A build risk allowance is in place to account for some risks which may materialise and additional BDC internal project contingency is being requested through the revised budget in order to manage any such events.</p> <p>Overrun: If the project overruns there will be increased costs of keeping Bramston open for longer. Agreements are in place with the leisure operators on the cost to keep Bramston open for longer than planned should it be necessary and compensation payments will be payable from the design and build contractor if overruns are their responsibility.</p> <p>Secretary of State approval not gained in order to complete the lease: Essex County Council requires Secretary of State consent to dispose of the area of land required for the new leisure centre (disposal includes leases of seven years or longer). We are awaiting approval at this time although with all parties in agreement, and support of the project from Sport England it is anticipated that approval will be forthcoming. To mitigate associated risk the first phase of the project will be undertaken through an early works agreement only proceeding to the full design and build contract after consent is given and the lease is completed.</p>
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Officer Contact:	Matt Mills
Designation:	Business Improvement Manager
Ext. No.	Ext 2443
E-mail:	matt.mills@braintree.gov.uk

1 Background to scope of leisure centre

- 1.1 In March and April 2010 Cabinet and Council respectively agreed to replace Bramston Sports Centre with a new leisure centre for Witham. The scope was agreed at that time which included the addition of a moveable floor to the learner pool. The budget was agreed in December 2010 and hard courts for netball and tennis were added to the scope of the project in March 2011.
- 1.2 The Council's consultants for this project, Mott MacDonald, worked with architects, the Council and a range of stakeholders including leisure operators, sports groups, users of the leisure centre, schools, etc to develop designs for the leisure centre and the project board has been kept informed of progress through the project.
- 1.3 The scope of the leisure centre has been agreed by Cabinet following consultation with the general public, sports groups, users of Bramston Sports Centre, schools and others and is not subject to change unless agreed through a defined and managed change control process. Any changes to scope are likely to have time and cost implications and therefore need to be managed extremely carefully.

2 Tender process

- 2.1 The Council submitted an OJEU notice informing potential bidders of the contract opportunity in May 2011.
- 2.2 Following receipt of expressions of interest, PQQ documentation was sent out and completed PQQs were received from 21 companies. Following assessment (including appropriate financial checks) five were shortlisted to take through to the ITT stage.
- 2.3 Comprehensive and detailed ITT documents were prepared and sent to bidders in October 2011. These documents set out the detailed scope of the project and it is against these tender documents that detailed assessments of cost and quality have been made.
- 2.4 Following receipt of tender documents from five bidders in December 2011 an initial analysis was undertaken and in early 2012 the Council, in consultation with Mott MacDonald, felt it would be appropriate to undertake additional works and investigations on site. These works included:
 - Further investigations to precisely locate the exact position of a gas main. Conflicting information had been found from national grid and other investigations and therefore to add clarity to all bidders, reduce risk to the Council and to enable us to seek early planning amendments, we undertook additional site investigations which involved desktop studies, ground penetration sonar testing and finally digging inspection trenches. The results of this work resulted in the requirement for us to slightly move the location of the leisure centre and planning permission was achieved for this minor material amendment in June 2012.
 - The Council has discharged a planning condition in relation to birds and bats by undertaking comprehensive surveys to inspect for nesting birds and the presence of bats. There was no evidence of either and therefore we were able to remove some trees from the site to help prepare it for occupation by the design and build contractor in due course.
 - The Council has discharged a planning condition in relation to archaeology. A desk top study was undertaken to produce an archaeological written scheme of investigation. Subsequently a comprehensive onsite investigation was undertaken during the Easter holidays and nothing of significance was found.

- The Council undertook a range of additional site investigations and surveys through digging inspection boreholes and trenches to provide additional information to bidders on the ground conditions on site.

2.5 Following these additional works revised tender documents were sent to all bidders. One bidder withdrew from the process at this time due to competing demands. Four bids were received on time on 4th May 2012.

3 Tender evaluation criteria and process

3.1 With and on behalf of the Council, Mott MacDonald have undertaken a detailed assessment of each of the four tenders with 60% of marks available for the commercial submission (cost) and 40% of marks available for the technical response (quality).

3.2 The commercial evaluation was based on the following criteria:

- competitiveness;
- consistency and suitability of costs and quantities;
- cost certainty
- suitability of the Activity Schedule

3.3 The technical evaluation was based on the following criteria:

- understanding of the project
- methodology
- programme
- key personnel
- health and safety

3.4 All technical evaluations were good with the scores for all four tenderers being within 2% of each other. The commercial evaluation resulted in a wider variation mainly due to the difference in tender prices.

3.5 The tender evaluation has resulted in the following marks being awarded with Barr Holdings Ltd receiving the highest overall score and therefore being considered the most economically advantageous tender:

Bidder	Commercial score (max 60%)	Technical score (max 40%)	Overall score
Barr Holdings Ltd	46.16%	30.18%	76.34%
Bidder 2	42.55%	29.48%	72.02%
Bidder 3	39.97%	30.07%	70.04%
Bidder 4	25.33%	31.33%	56.66%
Bidder 5	No bid submitted	No bid submitted	n/a

[Note: detailed evaluation scores are provided in the *Confidential Appendix* to this report in Part 2 of the Agenda]

4 Project budget

4.1 The total project budget is currently £9.026 million which has been cumulatively agreed by Cabinet since 2009

- £150,000 agreed in July 2009 (for early design work)
- £8,646,036 agreed in December 2010 (for project management and design and build costs)
- £230,000 agreed in June 2011 (for hard courts and legal fees)

- 4.2 Since October 2011 it has been reported to the Member Leisure Project Board and through corporate project reporting that a potential change to this budget would be required in the order of £400-420k. The variation came about due to the assessment of projected build costs as more confidence was applied to the early estimates. In addition planning applications and the resultant costs related to discharging planning conditions needed to be accounted for, as did previously incurred costs in relation to early project management.
- 4.3 Further to this projected variance, and in order to undertake the additional works described in paragraph 2.4 above, it was estimated that £75k would be spent here.
- 4.4 The revised budget to account for the variances described above, and with the addition of a small internal contingency to ensure the Council can meet any unidentified internal project costs (e.g. additional communication and consultation work; additional legal costs; additional project management guidance and support) is increased by £473k (total = £9.499 million) and is made up as follows:

Main contractor build costs and build risk allowance, project management, design and other fees	£	9,170,000
Other consultants and legal costs	£	81,000
Planning fees, planning conditions, site works	£	95,000
MOVA system (to satisfy planning condition)	£	60,000
BDC internal project costs	£	18,000
BDC contingency	£	75,000
TOTAL	£	9,499,000

- 4.5 In December 2010 Cabinet was given details on costs per m² for the build. The early estimates provided a cost of £2,210 per m² which was in line with an expected range provided from industry experts for this kind of project (£1,688 to £2,527 per m²). The costs at this time did not include the hard courts as they were not in scope in December 2010.
- 4.6 Costs per m² for the project currently stand at c.£2,100 per m² which includes hard courts. This remains in line with expectation.
- 4.7 The £473k increase is made up with increases to the following budget lines:

Budget area	Increase	Notes
Build, build risk, project management, design and other fees	£162,922	Build costs have increased from early estimates as they are now based on the actual tender sum from the preferred bidder. Build risk allowance has increased from the early estimates in line with revised build costs and on the advice of our project management consultants. Risk sums are identified following comprehensive analysis of potential project risks which are weighted according to probability. Risks have been identified in the following broad categories: site access; existing/adjacent occupancies; existing site (although much risk is transferred within the contract); site boundaries; statutory undertakings; and design development. Project management costs, design and other fees increase as the project evolves and additional work has been required/ commissioned in relation to the tender process.

		For example managing the production of an architectural written scheme of investigation; producing revised plans for planning permission following clarification of the exact location of an onsite gas main; project managing and overseeing onsite works; etc.
Legal costs	£20,000	More legal advice than originally anticipated has been required covering advice on contracts to ensure appropriate risk transfer for ground conditions was established, plus further advice on the tender process. It is expected that further advice will need to be sought through the remainder of the project. This has ensured robust and appropriate risk allocation and risk transfer within the contract.
Planning fees	£20,000	Additional planning fees have been and will be incurred with the resubmission of planning and with the discharge of planning conditions.
Site works	£75,000	Additional site works have been undertaken including bird and bat surveys, tree removal, site investigations, gas main surveys and archaeology surveys. These works have ensured key clauses in our contract are accepted and that site risk is transferred to the design and build contractor.
MOVA system	£60,000	The council is required to install a MOVA system (traffic light management system) in order to meet a planning condition requirement requested by Essex County Council Highways.
Other consultants' costs	£52,838	Other consultants' costs include early project management and leisure consultants' advice in 2009/10 and 2010/11. These costs were incurred to start work on developing a proposed scope for the leisure centre and start the design process.
BDC costs and contingency	£82,240	BDC costs and contingency include communication and consultation, meetings, Bramston site survey work, plus a contingency allowance of 7.5% (approx. £75k) on all costs other than build and build risk allowance.

5 Lease for Land

- 5.1 The land on which Braintree District Council proposes to build the new leisure centre is part of the Maltings Academy under lease from Essex County Council. Braintree District Council is in the final stages of agreeing the terms for Essex County Council to lease the land to us prior to the award of the design and build contract.
- 5.2 In March 2011 it was reported to Cabinet that the lease would be direct with the Academies Enterprise Trust (AET) with consent from ECC. However, it has become apparent that a more straightforward arrangement is for BDC to have a lease directly with ECC as the landlord. The terms and conditions remain the same as previously reported to Cabinet, e.g. 125 year lease and peppercorn rent. The lease has now been agreed with ECC.
- 5.3 The land to be leased to the Council includes the areas for the leisure centre and car park. A licence to occupy the area of the site for the construction of the hard courts will be granted by AET. This area will be handed back to the Maltings Academy on completion of the hard courts as it is the Academy who will be responsible for this area.
- 5.4 We are awaiting Secretary of State consent for ECC to dispose of the land. Whilst we await this approval detailed design works can be undertaken through the award of an

early works agreement, proceeding to the full design and build contract once Secretary of State consent is confirmed. (Further detail is provided in the legal section under corporate implications above.)

6 Post completion contractual, financial and other information

- 6.1 Within the contract with the design and build contractor a number of consultant, sub-consultant and sub-contractor collateral warranties are in place. The collateral warranties will ensure any defects resulting in any loss to the leisure operator can be claimed by the leisure operator without the need for the Council to manage the claim/legal process.
- 6.2 The Council's leisure operator will be responsible for any internal and external maintenance of the building that is not covered through the collateral warranties in place.
- 6.3 Should the build period extend beyond the agreed contract period by fault of the design and build contractor resulting in the requirement to keep Bramston Sports Centre open longer than anticipated; delay damages are in place in order to compensate the Council to account for the running costs of Bramston Sports Centre.

7 Introduction to Barr Holdings Ltd

- 7.1 Barr Holdings Ltd (company registration no SC150486) is based in Scotland with the construction head office in Paisley. Barr employs 400 staff in its construction division (www.barr-construction.co.uk) and has a stadia and leisure unit who specialise in this kind of building projects.
- 7.2 Barr have delivered 15 pools in the last decade and has been involved in a range of leisure projects of a various size and scope including:
 - **Kirkintilloch Leisure Centre** – opened in 2007 Barr was responsible for design and construction of this centre including a 25-metre six lane swimming pool, multi-purpose sports hall with spectator seating, a gym, five-a-side football pitches, training swimming pool, health suite with steam and sauna cabins, exercise studios, café, shop and crèche. www.eastdunbarton.gov.uk/kirkintillochleisure
 - **“The Peak” at Stirling Sports Village** – opened in 2009. The facility includes a 25 metre swimming pool, aerobics and dance studios, gym, ice rink, climbing wall, badminton/ basketball courts and outdoor pitches. www.the-peak-stirling.org.uk/
 - **Colchester Community Stadium** – opened in 2008. Incorporating football facilities and pitches with 10,000 spectator capacity, plus conference and other facilities. www.colchesterstadiumexperience.com
 - **Middleton Arena** – opened in 2009. The facility includes a 25x13m main pool plus learner pool, spectator seating for 150 people, sports hall, 80 station fitness suite, squash courts, dance studios, lounge facilities and changing room village. www.middletonarena.com
- 7.3 A range of current projects being undertaken by Barr can be viewed on their website including links to community websites set up specifically for each project: www.barr-construction.co.uk/barr-community-websites/
- 7.4 Although Barr have their headquarters in Scotland and primarily work on projects there, they have a track record in delivering projects all over the UK including Colchester and in London for the London 2012 Olympic Games. Barr have

developed supply chains in the local areas and have stated “*we will look to utilise local suppliers having developed an effective supply chain in Essex through our work on the Colchester stadium.*”

8 Recommendation

- 8.1 To award the design and build contract for Witham Leisure Centre to Barr Holdings Ltd; this award is subject to:
- a) Council agreeing the revised project budget (see 2) below);
 - b) Completion of the lease with Essex County Council which now requires Secretary of State approval following new legislation on the use of educational land ;
 - c) The first phase of the contract award with Barr Holdings Ltd will be an Early Works Agreement, which will only proceed to a full Design and Build Contract once the lease is completed.
- 8.2 To recommend to Council that an additional £473k of capital funding be allocated to the Witham Leisure Centre project.

<p>Recommendations from Cabinet, 16th July 2012 (also from the Local Development Framework Sub-Committee – 23rd May 2012).</p> <p>National Planning Framework</p>	<p>Agenda No: 6c</p>
<p>Portfolio Area: Prosperity</p>	
<p>Background Papers:</p>	<p>Public Report</p>

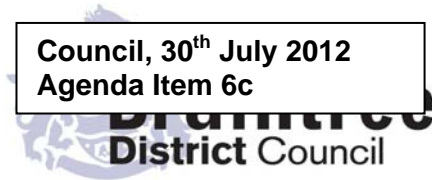
Minute Extract:

CABINET – 16TH JULY 2012

31. **RECOMMENDATIONS FROM THE LOCAL DEVELOPMENT FRAMEWORK SUB-COMMITTEE – 23RD MAY 2012).**

DECISION: That it be **Recommended to Council** that:-

1. The publication of the National Planning Policy Framework be noted.
2. An assessment of the Local Development Framework Core Strategy and the Local Plan Review be carried out to establish which policies, if any, are in conflict with the National Planning Policy Framework and to consider proposals for the amendment of such policies, as appropriate, within the transitional period.
3. The provisions of the National Planning Policy Framework be taken into account in future work, including in development management and in drawing up development management policies for the Local Development Framework.



Recommendations from the Local Development Framework Sub-Committee – 23rd May 2012 – National Planning Framework	Agenda No: 9d
Background Papers:	Public Report

Minute Extract:

LOCAL DEVELOPMENT FRAMEWORK SUB-COMMITTEE – 23RD MAY 2012

5 NATIONAL PLANNING POLICY FRAMEWORK

INFORMATION: Consideration was given to a report on the new National Planning Policy Framework (NPPF) and the key implications for planning in the Braintree District. The NPPF had replaced previous Government planning policy guidance with a much smaller document and contained some new guidance, including a presumption in favour of sustainable development and a requirement to grant permission where a plan was absent, silent, or where relevant policies were out of date.

The Government had published the final version of the NPPF on 27th March 2012. This had replaced, with immediate effect, various Government Planning Policy Guidance Notes and Planning Policy Statements on specific subjects, with the overriding aim of streamlining guidance and encouraging growth.

The Council had one year to determine which, if any, parts of the Core Strategy should be updated to reflect the NPPF, and would be required to take account of the new guidance in the preparation of the Site Allocations and Development Management Plan. The Council would also have to consider whether guidance contained in the former Regional Plan and National Planning Policy Guidance should be incorporated within the Plan.

The NPPF proposed that Councils should consider applications for housing in the context of a presumption in favour of sustainable development and relevant policies for the supply of housing would not be considered up to date if a Council could not demonstrate a five year supply of deliverable sites. It was therefore important that Braintree District Council continued to demonstrate that a five year supply existed. The NPPF required the Council to identify an additional 5% of housing land as a buffer to ensure delivery against target. However, the buffer could be identified from readily available sites, which were forecast to be built after the five year period. The Council would be required to incorporate the new policy on the presumption in favour of sustainable development within the Site Allocations and Development Management Plan.

DECISION: That it be **Recommended to Cabinet and Council** that:-

- the publication of the National Planning Policy Framework be noted.

- an assessment of the Local Development Framework Core Strategy and the Local Plan Review be carried out to establish which policies, if any, are in conflict with the National Planning Policy Framework and to consider proposals for the amendment of such policies, as appropriate, within the transitional period.

- the provisions of the National Planning Policy Framework be taken into account in future work, including in development management and in drawing up development management policies for the Local Development Framework.

Local Development Framework Sub-Ctte
23rd May 2012

Report on the publication of the National Planning Policy Framework (NPPF)	Agenda No: 6
<p>Corporate Priority: Environment is clean and green, business is encouraged and local economy prospers, housing and transport meet local needs</p> <p>Report presented by: Kathryn Carpenter</p> <p>Report prepared by: Kathryn Carpenter</p>	
<p>Background Papers: National Planning Policy Framework (NPPF); Technical Guidance to the NPPF; and covering letter to Chief Planning Officers; Department for Communities and Local Government (CLG), March 2012 BDC Report to LDF Panel 8th September 2011. Draft NPPF, CLG, July 2011</p>	<p>Public Report Yes</p>
<p>Options:</p> <ul style="list-style-type: none"> a) Do nothing – retain existing LDF Core Strategy as it is. b) Carry out an assessment of the LDF Core Strategy within the transitional period, to establish i) if there are policies in the Core Strategy where there is a substantial conflict with the NPPF, and ii) if there are policies in the Core Strategy where there is a more limited conflict with the NPPF. c) Decide whether to review any policies and in what timescale. 	<p>Key Decision: No</p>
<p>Executive Summary: This report considers the main points of the new National Planning Policy Framework and the key implications for planning in Braintree District. The NPPF replaces previous government planning policy guidance with a much smaller document. It contains some new guidance including a presumption in favour of sustainable development and a requirement to grant permission where a plan is absent, silent or where relevant policies are out of date.</p>	
<p>Decision: That it be recommended that Council</p> <ul style="list-style-type: none"> - note the publication of the National Planning Policy Framework, - carry out an assessment of the Local Development Framework Core Strategy and the Local Plan Review to establish which policies, if any, are in conflict with the NPPF and consider proposals for amendment of such policies as appropriate within the transitional period. - take the provisions of the NPPF into account in future work, including in development management and in drawing up development management policies for the LDF. 	
<p>Purpose of Decision: To agree action to be taken to ensure that the LDF is consistent with the National Planning Policy Framework.</p>	

Corporate implications [should be explained in detail]	
Financial:	Costs of LDF preparation, including Evidence; Site Allocations, and Development Management Policies Plan Preparation and Examination. Potential costs of updating the adopted Core Strategy. Potential costs of clarification of policy via appeal.
Legal:	Planning guidance will be used as the basis for plan preparation and development management decisions
Equalities/Diversity	As set out in the guidance. Development and protection of the environment have an impact upon equality/diversity
Customer Impact:	As set out in the guidance. Impact of planning proposals and future planning decisions
Environment and Climate Change:	The NPPF provides the policy context for planning in the District, for the development and use of land and protection of land for open space and other uses; these will have effects upon the environment and climate change.
Consultation/Community Engagement:	There was public consultation by Government on the draft version of the NPPF.
Risks:	Risk of adopted Core Strategy not being found to be entirely consistent with the NPPF.
Officer Contact: Kathryn Carpenter	
Designation: Senior Policy Planner	
Ext. No. 2564	
E-mail: kathy.carpenter@braintree.gov.uk	

1. Introduction

- 1.1. The Government published the final version of the National Planning Policy Framework (the NPPF) on March 27 2012. This replaced with immediate effect the various Government Planning Policy Guidance Notes and Planning Policy Statements on specific subjects, with the overriding aim of streamlining guidance and encouraging growth. Overall, the final version of the NPPF is a significant improvement on the draft version.
- 1.2. The Government has published additional guidance on Traveller sites to be read in conjunction with the NPPF; and also supplementary technical guidance on Flood Risk and Minerals Policy (this retains key elements of PPS 25 and of the existing minerals policy statement), as an interim measure pending a wider review of guidance to support planning policy.

2. Background

- 2.1. The NPPF is intended to make planning less complex and more accessible; and to promote sustainable growth. The NPPF policies are a material consideration for development management and the preparation of plans, with immediate effect.
- 2.2. Councils have one year to bring local plans into full alignment with the NPPF. In the 12-month transitional period, full weight may be given to policies in the adopted plans (the Core Strategy and the Review Local Plan) even if there is a limited degree of conflict with the NPPF. After the transitional period; and where there is greater variance from the NPPF, and where there are emerging plans; the degree of weight to be given to policies will depend on the stage reached in plan preparation (with emerging plans), and the degree of variance (with adopted plans). The Council will need to consider which, if any, parts of the Core Strategy will need updating to reflect the guidance in the NPPF,

and will need to take the new guidance into account in the preparation of the Site Allocation and Development Management Plan.

- 2.3. The Council is in a strong position currently, with a recently adopted Core Strategy and a good record of meeting its housing land supply target. In terms of the options open to the Council regarding plan preparation:
- To start work on a new Core Strategy, as an immediate full review, would not be necessary, as the Council has an up to date Core Strategy. The Council would instead need to assess the policies in the Core Strategy against the guidance in the NPPF to see whether any policies were in conflict with the NPPF.
 - The Council will need to press ahead with the preparation of the Site Allocations and Development Management Plan to ensure that the draft plan has been prepared and amended following public consultation and approved by the Council, during the 12 month transition period. This will enable this to be given weight when determining planning applications as an emerging plan.
 - The Council can then commence a Review of the Core Strategy based upon this District's housing and employment needs (rather than the Regional Strategy requirements) when the Site Allocations and Development Management Plan has been adopted.
- 2.4 Under the previous system, by which Core Strategy and the Review Local Plan were prepared, Councils were not allowed to repeat guidance from the regional plan or from national planning policy guidance in local plans; it was taken as read that this would apply. Under the new system, the Council will need to consider whether there is valuable guidance that used to be in the regional or national guidance, but will be missing following the revocation of the East of England Plan and/or the publication of the NPPF, and which the Council wishes to retain by incorporating similar guidance in the Site Allocations and Development Management Plan.

3. Contents of the National Planning Policy Framework

- 3.1. The overall focus on economic growth remains in the final version of the guidance, although the emphasis has been moderated.
- 3.2. In the absence of regional plans, the evidence base for local plans (either individually or in partnership with neighbouring authorities) will need to directly address in greater depth than before local evidence on issues such as housing, demography, employment and the economy. The need for SHMAAs (Strategic Housing Market Assessments) and SHLAAs (Strategic Housing Land Availability Assessments) is retained.
- 3.3. The NPPF introduces a presumption in favour of sustainable development for local plans and development management and has three core strategies: economic; environmental and social.
- 3.4. The NPPF requires that local planning authorities (LPAs) should meet objectively assessed needs with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted; or the adverse impacts of this development would significantly and demonstrably outweigh the benefits when judged against the advice in the NPPF. When considering planning applications, where the development plan is absent, silent, or relevant policies are out of date, permission should be granted unless one of these two caveats applies.
- 3.5. The Government has published, via the Planning Inspectorate, a model policy on the presumption in favour of sustainable development which must be included in all local plans in order for them to be found sound. This model policy is set out below and can

be included in the policies set out in the Site Allocations and Development Management Plan:

MODEL POLICY - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted.”*

Duty to co-operate

- 3.6. The plan should be prepared in accordance with the duty to co-operate with neighbouring councils and should seek to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. Joint working is expected to enable LPAs to work together to meet development requirements that cannot wholly be met within a district, such as for lack of physical capacity or because it would cause harm to the principles and policies of the NPPF.

Previously developed land

- 3.7. The national brownfield target for housing development has been removed. The draft NPPF was criticised for not specifying a sequential approach that gave priority to use of brownfield land. The final version now states that councils should “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental quality”.

Transport

- 3.8. On transportation issues; development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 3.9. The national maximum car parking standard for non-residential development has been removed. Local parking standards should take into account the accessibility; type; mix and use of the development; the availability of and opportunities for public transport, local car ownership levels, and the need generally to reduce the use of high emission vehicles.
- 3.10. Developments should be located and designed where possible to give priority to pedestrian and cycle movements and have access to public transport facilities.

Housing

- 3.11. The NPPF aims to significantly increase the supply of housing. LPAs should use their evidence base to ensure that the local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF. It is not yet clear on what basis this target should be defined and measured. The work currently being prepared on the Allocations Document for the Braintree District LDF is consistent with the scale of growth set out in the LDF Core Strategy (adopted in September 2011), which in turn is based on the housing provision for the

District set out in the East of England Plan. It would be desirable for a future review of the scale of proposed growth in the Core Strategy to be carried out after the adoption of the Site Allocations and Development Management Plan, starting in about 2 years time. This would be able to take into account the results of work on demographic projections by consultants for Essex districts, and it would be desirable for work to be carried out to update the projections to make use of information from the 2011 Census and from the most recent available CLG household projections.

- 3.12. The Plan should identify key housing sites, which are critical to the delivery of the strategy over the plan period, and should identify the size and type tenure and range of housing that is required in particular locations, reflecting demand. The needs of different groups in the community should be planned for. This principle was expressed in PPS3 but the NPPF has now added specific reference to service families and people wishing to build their own homes. LPAs should set out their own approach to housing density to reflect local circumstances (as was the case under Planning Policy Statement 3), and should consider the case for setting out policies to resist inappropriate development of residential gardens.
- 3.13. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a 5 year supply of deliverable sites, in this case permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate development should be restricted. It is clearly important that the Council should continue to be able to demonstrate that a 5 year supply exists. This is set out in the Annual Monitoring Report.
- 3.14. The draft NPPF required all LPAs to identify an additional 20% of housing land for the 5 year supply of readily available land, as a buffer to ensure delivery against target and to increase choice and competition in the market for land. This requirement has been reduced in the final version to 5% above target, with the exception of LPAs that have a record of “persistent under delivery of housing” where the buffer will be 20%. For Braintree District, if this is defined in terms of the current Core Strategy target or the East of England Plan (the NPPF does not define against what target under-delivery is determined), the Council’s record should currently mean that the “buffer” would be 5%. The buffer can be identified from sites that are readily available but, were forecast to be built after the 5 year period – that is to say the guidance does not increase the overall supply target by 5%.
- 3.15. The final version of the NPPF relaxes the approach on the inclusion of windfall sites in housing supply assessments, in that it permits a reasonable allowance for windfall sites to be included if there is compelling evidence that such sites consistently become available and will continue to provide a reliable source of supply (such evidence to exclude residential garden sites).
- 3.16. The national indicative minimum site size threshold for requiring affordable housing to be delivered has been removed from guidance (although PPS3 did state that LPAs could set a lower threshold where viable and practicable); and there is increased flexibility for rural affordable housing policy (see Countryside and Rural Areas, below).

Employment

- 3.17. Although the NPPF places considerable emphasis on the need for planning to support and encourage economic growth, the guidance also indicates that long term protection of sites allocated for employment should be avoided where there is no reasonable prospect of a site being used for employment. In such circumstances consideration of alternative uses should have regard to market signals and the relative need for different land uses needed for sustainable local communities. LPAs should normally approve planning applications for change of use of B use-class commercial buildings to residential use where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why this would be inappropriate.

Town Centres

- 3.18. The draft NPPF removed offices from the definition of town centre uses, and proposed some relaxation of the sequential test policy when considering proposals for town centre uses outside of town centres. This came in for some criticism, and the final version of the guidance now includes offices as a main town centre use and emphasises the importance of the sequential test (this does not apply to applications for small scale rural development). LPAs should require applications for main town centre uses to be in town centres. Where no suitable town centre sites are available, preference should be given to edge of centre sites, and sequentially then out-of-centre sites that are accessible and well connected to the town centre. LPAs should assess the need to expand town centres to ensure a sufficient supply of suitable sites.
- 3.19. For major town centre schemes where full impact will not be realised within 5 years, impacts should also be assessed for a period of up to 10 years.

The Countryside and Rural Areas

- 3.20. The draft NPPF was criticised for not referring to the intrinsic value of countryside in itself; that is, countryside which is not designated for particular protection such as Green Belt or Sites of Special Scientific Interest. The final version of the NPPF gives broader protection to countryside by referring to the “intrinsic character and beauty of the countryside” as a core planning principle.
- 3.21. Nonetheless, the NPPF seeks to encourage economic growth in rural areas; LPAs should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and by well designed new buildings. In considering rural exception sites, LPAs should consider whether allowing some market housing would facilitate the provision of significant affordable housing to meet local needs (previously rural exception sites were solely for affordable housing in perpetuity). Local needs in rural areas are defined to include within the context of the duty to co-operate with neighbouring authorities.
- 3.22. Planning Policy Statement 7 included useful technical guidance in Annex A on the assessment of proposals for agricultural, forestry or other occupational dwellings. This has been lost in the streamlining process. This guidance was important to help guard against abuse of the special policy provisions for such dwellings, and ensure that the proposal was to meet a genuine need of this nature. The Council may wish to consider making representations to the Government and/or to the Planning Advisory Service that underpinning guidance on this matter is needed (see paragraph 1.2 above). Alternatively, such guidance could be incorporated in the LDF Development Management Policies. The CLG website confirms that Annex E of PPG7, however, remains extant; this deals with technical guidance on permitted development rights for agriculture and forestry. PPG Annex E was retained at the publication of PPS7 (which otherwise superseded PPG7).

Green infrastructure and biodiversity

- 3.23. The NPPF introduces the possibility of “local green spaces” to give special protection to green areas of particular importance to local communities, which can be designated when a local or neighbourhood plan is prepared or reviewed. This is not necessarily land that there is public access to. This is not a means of avoiding development overall. The NPPF indicates that the designation will not be appropriate for most green areas or open space. The site must be in reasonably close proximity to the community it serves, it must hold a particular local significance (for example because of its beauty, historic significance, recreational value, tranquility or richness of wildlife), it must be local in character, and it cannot be an extensive tract of land.
- 3.24. There is recognition in the NPPF of designation in local plans of locally designated sites of importance for wildlife (including wildlife corridors and stepping stones that connect

them); geodiversity, or landscape character. Planning policies should identify and map these components of the local ecological networks, and areas identified by local partnerships for habitat restoration or creation.

- 3.25. LPAs are required to take a strategic approach in local plans to the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. The policies relating to evidence requirements on need and supply of open space, sports and recreational facilities; and on the protection of existing land and facilities, remain in place. Planning policies should protect and enhance public rights of way and access.

Neighbourhood Plans

- 3.26. Whereas the draft NPPF appeared to say that both local plans and neighbourhood plans had precedence, the final version clarifies the position. On strategic policies; neighbourhood plans must be in general conformity with the strategic policies of the local plan and should not promote less development or undermine the strategic policies of the local plan. On non-strategic policies; the policies of the neighbourhood plan once brought into force take precedence over non-strategic policies in the local plan for that area, where they are in conflict.

4. Conclusions

4.1 Some concern has been expressed that the simplified guidance lacks clarity, leaving clarification to be developed via planning appeals and judicial decisions.

4.2 The Council will need to examine the policies in the LDF Core Strategy (adopted September 2011) to assess the extent to which the Core Strategy is in alignment with the guidance in the NPPF.

4.3 The Council will need to incorporate the required new policy on the presumption in favour of sustainable development within the Site Allocations and Development management Plan.

4.4 It is expected that the Council should be in a strong position, having a recently adopted Core Strategy and having a 5-year land supply position confirmed at the Core Strategy hearing and subsequently in the 2011 Annual Monitoring Report. This would meet the requirement for an additional 5% buffer as the District has a good record of delivery against the housing supply target.

4.5 The development management policies contained in the Review Local Plan were adopted in 2005. They will need to be assessed against the NPPF to establish the degree, if any, of conflict with the NPPF. The new development management policies being developed for the LDF will need to take the NPPF into account, as will the work on site allocations.

Recommendations from Overview and Scrutiny Committee -11th July 2012	Agenda No: 7
Task And Finish Group - Scrutiny Of The Council's Land And Property Investment Policies	
Portfolio Area: Prosperity	
Report presented by: Cllr Tattersley, Chairman of Task and Finish Group	
Background Papers:	Public Report

Minute Extract:

OVERVIEW AND SCRUTINY COMMITTEE - 11TH JULY 2012

10. **TASK AND FINISH GROUP - SCRUTINY OF THE COUNCIL'S LAND AND PROPERTY INVESTMENT POLICIES**

INFORMATION: Members thought the report did not reach any conclusions and noted that it did not contain any recommendations. However, members also noted that there was no requirement for the report to do so.

In considering the report, Members queried the following:

- What the Council might do differently if a property similar to Mayland House (e.g., Grove House, Witham) potentially became available? For example, if an offer was made to surrender the lease, would the Council seek to negotiate a fund to cover the maintenance period or leave the Council exposed to a revenue cost?
- When the option of relocating the Council from Causeway House to Mayland House became available, that option initially looked attractive. Why did the Council decide not to pursue that option and to remain in Causeway House?

Subject to the report containing an addendum, members agreed that the report be referred to Council and to Cabinet.

DECISION: That subject to the report containing an addendum covering the above points, that the report be referred to Council and to Cabinet.

Task and Finish Group - Scrutiny of the Council's Land and Property Investment Policies	Agenda No: 5
<p>Corporate Priority: Prosperity and Performance Portfolio Area: Prosperity Report presented by: Cllr P Tattersley, Chairman of the Task and Finish Group Report prepared by: Andrew Epsom, Head of Asset Management</p>	
Background Papers: Overview and Scrutiny Committee meetings 13 th July 2011 and 22 nd March 2012	Public Report
Options:	Key Decision: No
<p>Executive Summary:</p> <p>At its meeting on the 13th July 2011, the Overview and Scrutiny Committee agreed that a Task and Finish Group be established to scrutinise the Council's general property and land investment policies. The composition of the Group was formally approved by Committee on the 12th October 2011 and the Group subsequently conducted a number of meetings to examine this matter.</p> <p>The key findings of the Task and Finish Group can be summarised as follows: -</p> <ol style="list-style-type: none"> 1) Members felt that the Council's current approach to land and property investment was conducted in a structured and coherent manner and that decisions were routinely considered and approved by both Cabinet and Full Council. Members were provided with the policy documents that underpinned the Council's property investment decisions and were supportive of the approach adopted. 2) Members were provided with background information relating to the acquisition of Mayland House. Members felt better following this background information and understood the circumstances surrounding the acquisition of Mayland House. 3) Members received a presentation detailing the availability and sources of property related information which demonstrated the Council's approach to Asset Management. <p>Members did not identify any key issues and have, therefore, not made any recommendations to the Overview and Scrutiny Committee or Cabinet.</p> <p>Full Report</p> <p>A copy of the full report is enclosed with this agenda.</p>	

Decision:
That Members note the report, the work undertaken by the Task and Finish Group, and the conclusions reached and refer the report to Cabinet and Council.
Purpose of Decision:
To consider the Overview and Scrutiny report and relating findings.

Corporate Implications	
Financial:	None
Legal:	None
Equalities/Diversity	None
Customer Impact:	The Task and Finish Group exercise has enabled Members to be better informed by improving their knowledge and understanding of the work undertaken by the Asset Management Service.
Environment and Climate Change:	None
Consultation/Community Engagement:	N/a
Risks:	N/a
Officer Contact:	Andrew Epsom
Designation:	Head of Asset Management
Ext. No.	2921
E-mail:	andep@braintree.gov.uk

Appointment of the Monitoring Officer	Agenda No: 8
Corporate Priority: Partnership, Overall Corporate Strategy and Direction Report presented by: Cllr G. Butland, Leader of the Council Report prepared by: Emma Wisbey, Monitoring Officer	
Background Papers:	Public Report
Options:	Key Decision: No
Executive Summary: Subsequent to the resignation of the Assistant Chief Executive, the Council appointed Emma Wisbey as the interim Monitoring Officer, until a permanent appointment was made to the Head of Governance post. Vicki Stevens has been appointed to the Head of Governance post and her appointment commences on 20 th August 2012. She is a qualified solicitor. The Monitoring Officer has a statutory role and statutory requirements to meet under the Local Government and Housing Act 1989. In order to perform these functions the appointee must be an officer of the Council and it is recommended that Vicki Stevens, Head of Governance is appointed as the Monitoring Officer from 20 th August 2012.	
Decision: To approve the appointment of Vicki Stevens as the Monitoring Officer with effect from 20 th August 2012.	
Purpose of Decision: To ensure compliance with the Local Government and Housing Act 1989.	

Any Corporate implications in relation to the following should be explained in detail	
Financial:	None. Costs met from existing budget
Legal:	Set out in the report
Equalities/Diversity	None
Customer Impact:	None
Environment and Climate Change:	None
Consultation/Community Engagement:	None
Risks:	The designation of the Monitoring Officer is a statutory requirement
Officer Contact:	Emma Wisbey
Designation:	Interim Monitoring Officer
Ext. No.	2610
E-mail:	emmaw.wisbey@braintree.gov.uk

COUNCILLOR GRAHAM BUTLAND - LEADER OF THE COUNCIL

Agenda No: 9(i)(a)

Report To Council On Portfolio Area of Overall Vision and Strategic Direction for the period ending 19th July 2012

1. Haven Gateway Partnership Meeting – 14th June

I attended the meeting of the Haven Gateway Partnership (HGP) at Martlesham with Jon Hayden.

I raised as a matter of urgency the report prepared by SKM Colin Buchanan entitled "Framework for Prioritising Strategic Transport Infrastructure in the SELEP Area". I felt that the report was focussed disproportionately on the Thames Gateway and North Kent area. There was unanimous support from HGP and the Chairman, George Kieffer, undertook to raise the matter at the SELEP meeting to be held on 22 June.

I also wrote the following letter to Cllr Peter Martin, Leader of Essex County Council:-

Dear Cllr Martin,

Re: Framework for Prioritising Strategic Transport Infrastructure in the SELEP area - a report by SKM Colin Buchanan.

I am writing to bring to your attention the above report prepared on behalf of the South East Local Enterprise Partnership (SELEP). This report attempts to identify transport and infrastructure developments which are of greatest economic importance to the South East LEP area. It aims to inform SELEP as to where it should target its influence and resources to promote schemes that will help secure economic growth.

I am disappointed that Braintree District Council (BDC) has had no opportunity to contribute to the development of this report. My officers have received no requests for evidence or information. As a consequence, key evidence has been overlooked in the preparation of this report, and unsound conclusions have been drawn.

Perhaps the clearest example of this concerns the omission of BDC's work with Network Rail and Mott MacDonald to prepare a comprehensive assessment of the economic and social impact of a rail loop on the Braintree Branch Line. This study has not been considered in the compilation of this report and, as such, the branch line is considered to be a less immediate priority and a longer delivery timeline than other rail schemes (e.g. the Beaulieu Park Station in Chelmsford).

This conclusion is directly contradicted by the results of our own study. I am further disappointed by the report's apparent indifference to the economic impact of infrastructure developments in North of Essex. This report purports to categorise infrastructure projects based on their economic impact, viability and deliverability.

However, the report, commissioned by the Strategic Transport Infrastructure Group (Chaired by Thurrock Council) focuses disproportionately on schemes in and around the Thames Gateway and North Kent area. So focused, is this report, on the Thames Gateway area that Stansted Airport is not even identified as a major international gateway (reference map on page six).

This report was discussed at the recent Haven Gateway board meeting and both the Haven Gateway and other local authorities expressed concern in relation to the transport priorities in the report and the lack of focus on North Essex. It is vital to the economic prosperity of communities in North Essex that local infrastructure developments receive a credible assessment. To overlook local needs and focus attention on the Thames Gateway area risks undermining the credibility of the LEP and, worse still, underplaying the contribution that the North Essex economy can make.

Braintree District Council would like to see a commitment from Essex County Council to help ensure that North Essex infrastructure schemes receive the consideration they deserve and that they are appropriately placed on the SELEP agenda.

Yours sincerely

Following the SELEP meeting I received the following email from George Keiffer:-

Dear Graham

Following the HGP Board Meeting I have undertaken a number of steps in connection with the matter you raised regarding prioritisation for the A120 and the SELEP website. The Greater Essex Business group Meeting on Tuesday was also most helpful in that businesses highlighted unequivocally the need for a major upgrade of the A120 between Mark's Tey and Braintree. Peter Martin attended the meeting on Tuesday and was able to hear at first hand the concerns expressed by business.

I have had several discussions with Susan Priest, Director of SELEP, on both subjects and I also raised the A120 at a SELEP Meeting with business on Tuesday evening.

At today's SELEP Board meeting I raised the matter of the A120 again in open forum. The attached SKM Colin Buchanan prioritisation had not been circulated with the papers but was tabled at the meeting. I stated, based on the feedback from Tuesday's GEBG that the A120 – A12 was too low in the priority rankings and that business attached greater importance to that stretch than to the Hare Green to Harwich A120 and therefore should be moved up the list of priorities. This was not contradicted by Neil Stock who was also present at the meeting. This intervention was supported by Peter Martin, both publicly and subsequently privately, and I suspect that you have had a word with him.

Coincidentally the same Board Meeting considered the Regional Aviation Capacity paper from Parsons Brinckerhoff which highlighted a potential 17-19 million pax current spare capacity at Stansted based on existing planning approvals and I drew

attention to the fact that while Stansted had good accessibility from the West the same could not be said from the East and that consequently there was a manifest disconnect between the LEP's aviation strategy and its road connectivity strategy. Incidentally, Peter Martin made it clear that ECC would not support a further expansion of pax capacity at Stansted.

It was recognised that the counties had not fully fleshed out their proposals and prioritisation and the report was considered inadequate. It seems to me that there is a desire to remit this to the Local Transport Bodies when they are created.

I also attach the DfT approved HA Pinchpoint Programme (this is not prioritised), although you will note that this strays into West Sussex because of the way that the HA is organised. As you can see there are 3 A120W schemes in the first tranche with a further 1 in the second tranche. Somehow I feel that the £2.3 million for average speed cameras on the A12 Kelvedon stretch could be better spent on improvements.

I shall of course be reporting on this to the Board meeting in October but did not want to delay feedback to you until then.

Kind regards

George

Infrastructure improvement remains a priority for the Council and I will continue to press the Council's case at every opportunity.

2. Cabinet Strategy Workshop – 15th June 2012

The Cabinet held a strategy workshop in Causeway House. A detailed feedback was given to members at the Members' Evening held on 20th June.

3. Wilkin & Sons Limited – 20th June 2012

Together with the Chief Executive and Jon Hayden I visited the new Wilkin & Sons Ltd (Tiptree Jams) Distribution Centre at Earls Colne. We met with Ian Thurgood, Joint Managing Director, and Stuart James, Finance Director. It was a pleasure to welcome this long established and world renowned business into the district.

4. Essex Leaders' Meeting – 21st June 2012

I attended the meeting of Essex Council Leaders at the Essex Record Office in Chelmsford.

The meeting received presentations on

- Whole Essex Community Budgets;
- 2012 Olympics and Paralympic Games Emergency Planning Arrangements;
- Council Tax Benefit Localisation and Support/ Welfare Reform;
- Police & Crime Commissioners and Police & Crime Panels;
- County-wide Local Standards Code.

5. BDC/ECC Joint Locality Board – 22nd June 2012

The shadow Joint Locality Board met and discussed the following items:

- District Infrastructure;
- Demographic trends in the District;
- Housing Strategy.

6. LGA Conference – 26/28 June 2012

Together with Cllr Mrs Beavis, Cllr Canning and the Chief Executive, I attended the Local Government Conference in Birmingham.

Whilst there I took the opportunity to visit the Local Government Boundary Commission for England (LGBCE) stand where I met with the Commissioner who will be leading the review into the electoral arrangements for Braintree District Council. This review will consider the Council's proposal to reduce the number of elected members to around 40 based on single member wards. The Commission will begin preliminary work this autumn.

7. Appointment of Chief Executive

I have established a panel to make a recommendation to Council on a successor to Allan Reid. The panel will consist of Cllrs Lady Newton, Santomauro, Barlow, Abbot and me.

8. Braintree Youth Strategy Panel Meeting – 3rd July 2012

Together with Cllr Canning, I attend the BYSP at Silver End Village Hall. The panel considered the result of a mapping exercise of youth work provision in the district. It is clear that there are a significant number of services (inputs) being provided but the panel is keen to establish how effective they are (outputs). This will be considered at the next meeting.

9. EELGA European & International Forum – 6th July 2012

I chaired the above forum which was held at the College of West Anglia in Kings Lynn. The college has been particularly successful in attracting European Funding or, depending on your viewpoint, repatriation of British Taxpayers money.

The agenda included:-

- Presentation on preparations for the European structural fund programmes 2014-2020
- Update on European Social Fund expenditure in the East of England (2007-2013) and its impact to date
- Review of Regional Aid Guidelines
- State Aid Guidelines for Broadband

10. Shadow Police & Crime Panel – 10th July 2012

The first meeting of the Shadow Police & Crime Panel (PCP) was held at County Hall.

The PCP is a scrutiny body. It exists to scrutinise the police and crime commissioner, to promote openness in the transaction of police business and also to support the Police & Crime Commissioner (PCC) in the effective exercise of their functions.

Some of its functions will include:

- Contributing to the development of the PCC's police and crime plan (on which it is a statutory consultee – the PCC must have regard to the PCP's views on the draft plan);
- scrutinising the PCC, and receiving evidence from the chief constable (by invitation), at 'set piece' events at certain points in the year in particular;
- reviewing the PCC's proposed precept (Schedule 5);
- receiving evidence in person from officers of the PCC's secretariat, although powers to require information do not extend to receiving 'advice' given by the PCC's secretariat to the PCC;
- reviewing the PCC's proposed appointments of chief constable, chief executive, chief finance officer and deputy police and crime commissioner and holding public confirmation hearings for these posts

The PCP comprises one elected member from each County, Unitary, City, Borough and District council covering the area of the Police Force. The maximum number of members is limited to twenty and there will be two independent members.

Cllr John Jowers of Essex County Council was elected Chairman of the Shadow Board.

11. Great Notley Country Park Joint Venture Partnership Board – 18th July 2012

Cllr Mrs Schmitt and I attended the above meeting. We received the annual report of the Warden for the year ended 31st March 2012. Based on the number of car park tickets issued an estimated 126,000 people visited the park during the year. This continues to be a very successful partnership between the District and County Council.

12. 2011 Census

The Office of National Statistics (ONS) published the first results from the 2011 Census on 16th July.

They show the resident population of Braintree District to be 147,100. This is the fourth largest district in Essex behind Basildon (174,500), Colchester (173,100) and Chelmsford (168,300). In addition to these three authorities only Huntingdonshire, South Cambridgeshire and Kings Lynn & West Norfolk have a larger population than Braintree. The district is therefore the 7th most populated of the 41 districts in East Anglia.

Cllr Graham Butland
Leader of the Council

Contact:	Cllr Graham Butland
Designation:	Leader of the Council
E-mail:	cllr.gbutland@braintree.gov.uk

<p>COUNCILLOR JOANNE BEAVIS –CABINET MEMBER, PEOPLE</p> <p>Report to Council on Portfolio Area of People for the period ending 11th July 2012</p>	<p>Agenda No: 9(i)(b)</p>
<p>Background Papers: Annual Plan 2012/13. Corporate Strategy 2012/16. Medium Term Financial Strategy 2012/16.</p>	<p>Public Report</p>
<p>Options: none</p>	<p>Key Decision: No</p>
<p>REPORT COVERS ACTIVITY ENDING 11th July 2012.</p> <p>OLYMPICS 2012. The Olympic flame passed through our district on July 6th 2012. Hatfield Peverel attracted almost 6,000 spectators to witness the Olympic Torch Relay. I will be personally writing to all those volunteers and stakeholders that helped to make the event such a great success, but I would like to take this opportunity to thank the Parish Council, local schools and businesses and Essex police for their help and support. Braintree District Council played a pivotal role ensuring the event ran seamlessly. In relation to the Paralympic Games, we will be supporting local events during August.</p> <p>Witham Leisure Centre. Subject to Cabinet approval on 16th July 2012 and Council approving a revised project budget, the design and build contract will be awarded to Barr Holding Limited; detailed design works will start immediately and once the lease is completed (which requires Secretary of State consent) the building works will start on site.</p> <p>New Fitness Facilities in Braintree. Subject to Cabinet approval on 16th July 2012 and Council approval for the capital budget, the investment of £945,000.00 in new fitness facilities at Braintree Leisure Centre and Braintree Swim Centre will commence in 2013. The 21st Century Gym Stations will increase footfall and achieve additional revenue funding. Fusion will pay the Council a revenue payment of £129,505.00 per annum from year 1 of the contract over 10 years.</p> <p>Witham Public Hall. Officers met with the Witham Public Hall Trust (WPHT) on July 10th 2012 to discuss current arrangements, future plans and review the Trust's financial position. WPHT shared plans to allow for their business model to grow. The £100,000.00 capital investment into the hall by the Council has commenced and we are ensuring that this work helps WPHT achieve its goals. The next meeting of BDC and WPHT will be in October 2012 to review progress.</p>	

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 the ground floor area of SEVH. This lease would apply to the main hall, kitchen area and back rooms. If a successful completion is achieved, SEVH becomes the last of the Council's Community Halls to be transferred over to independent management.

Halstead Senior Citizen Centre

I am pleased to report that the Citizen Advice Bureau (CAB) has moved into their new premises at Ramsey College, with the official opening held on 6 July. This has been a great example of partnership work between the Council, CAB and the school. These new premises, funded by the Council, provide far better facilities for the CAB and local residents who use their services. The HSCC is on schedule to close at the end of July as planned with all user groups relocated to alternative, local facilities. This includes Park Pre-School who are moving to a purpose built facility on land near St Andrews School. Their new premises will be ready for the autumn intake of pre-school children.

The New Localism Framework.

Subject to Cabinet approval on July 16th 2012 the new Localism Framework outlined in the report to Cabinet will proceed. Projects include: Exploring a new Service Level Agreement with Witham Town Council to transfer some services and assets to local management; take forward the Witham Neighbourhood Level Community Budget; input into the Whole Essex Community Budget where it impacts on the district's residents and area; establish a process to deal with the new Community Rights and Neighbourhood Planning in the Localism Act 2011. A new Member Project Board will be created ensuring projects are coordinated, tracked and monitored.

Community Transport.

Braintree District Council continues to run four subsidised transport services. These services run on the support from local volunteers. More volunteer drivers are required from the Witham and Kelvedon areas to meet demand and ensure these services continue to meet the needs of the most elderly and vulnerable in our district.

THE LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING, June 2012.

I had the great pleasure of attending this year's annual conference held in Birmingham. This year's focus was on "Turbo Charged" Localism. The next stage of the Localism Act relies on local people and local action.

The "Stay Awake" issues included: The need for supporting reforms in adult social care; supporting our youth with flexible education that supports vocational skills and training.; strategic health, plus a local government Charter that supports greater devolution to local government and communities and bridging the annual and projected funding gap in local government.

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:	Cllr Joanne Beavis.
Designation:	People.
E-mail:	Cllr.jbeavis@braintree.gov.uk

COUNCIL
 30th July 2012

**COUNCILLOR LADY NEWTON – CABINET MEMBER
 FOR PROSPERITY**

Agenda No: 9(i)(c)

**Report to Council on Portfolio Area of Prosperity
 for the period ending 11th July 2012**

PLANNING POLICY

National Grid Consultation

The Council has responded to National Grid on their Connection Options Report which identifies National Grid's proposed route alignment for the Bramford to Twinstead Connection Project and any areas where the line should go underground. Whilst the Council welcomed the proposals to underground the line through the Stour Valley in our District and through the Dedham Vale Area of Outstanding Natural Beauty, the Council will be continuing to push for a number of amendments to the project including changes to the location of the sealing end compound – where the overhead and underground lines are connected, the removal of the redundant 132kV cable between Twinstead Tee and Rushley Green and raised concerns about the premature identification of the need for a substation to the west of Twinstead Tee without giving detailed consideration to all options.

Rail prospectus for East Anglia

'Once in a generation' – a rail prospectus for East Anglia has been launched, it has been prepared and supported by a strong cross-party and multi-agency alliance of MPs, county councils, Local Enterprise Partnerships, other local authorities, businesses and rail user groups – across the four counties of Essex, Suffolk, Norfolk and Cambridgeshire. It has also been produced in close consultation with Greater Anglia and Network Rail to ensure the proposals are practical and deliverable.

The prospectus puts forward the case for a realistic and technically feasible programme of improvements between now and 2032 which will help create thousands of jobs and unlock billions of pounds of growth for the UK economy.

Braintree is mentioned in the report as an area where investment is required, in particular in the passing loop, as a result of the recent economic viability study BDC has undertaken. It is recognised that increased frequency of trains to London will increase the number of users and value of the branch line.

ECONOMIC DEVELOPMENT

Broadband

The BDUK plan for Essex has been accepted by Central Government. The national framework for delivery of BDUK programmes has been agreed by Central Government and there are two providers who have been chosen, these are BT and Fujitsu. The next stage will be an open market review followed by a procurement process from August 2012 to January 2013, when the two providers will put forward their proposals for delivery and the contract will be awarded early 2013. A workshop was held in June with Parish and District Councillors to inform them of progress so far.

BDS/BEAU merger

The new organisation formed by the merger of BDS and BEAU will be called **Ignite Consulting**. A marketing plan is being developed and there will be a launch of the new brand in the coming months.

Braintree District Business Group (BDBG)

Formally known as Business Council, the Braintree District Business Group (BDBG) has been formalised as the main route through which to engage the District's businesses and the new name of BDBG has been decided as a better reflection of the group's role. A new website is being developed to help raise awareness of BDBG, who are looking to recruit new local businesses to contribute to their activity and to raise the profile of the group.

TOWN CENTRES

Portas Pilot Round 2

Following the Portas Pilot Round 1, a second round of bidding was launched by Communities & Local Government department. The closing date for Portas Pilot Round 2 bids was the 30th June 2012. We have worked with both Halstead Town Council and Witham Town Council to support them in revising their Round 1 bids. BDC has submitted a Round 2 bid on behalf of Braintree Town Centre. The announcement of successful Round 2 bids will be at the end of summer.

HOUSING

Consultation on a revised Housing Allocations Policy & Tenancy Strategy

2 presentations of policy changes were completed in July. 30 members and stakeholders attended the consultation sessions. Consultation ends for the allocations policy at the end of July and for the Tenancy Strategy at the end of August.

Recommendations will be made to the Cabinet in September.

Policy for Discharge of Homelessness Duty to the Private Sector

The principle of using the private sector for housing homeless households formed part of the July presentations. The draft policy document will be published in mid-July for consultation with stakeholders. We expect local housing providers and voluntary agencies to be particularly interested in how we will operate our policy.

New Housing Development

Work has now started at the rear of 19-21 Bocking End on the scheme of 6 flats that will re-provide for Trinity House. Greenfields first developments, in Rayne and Hatfield Peverel are also on site. Completions of affordable housing are expected later this year on the new Persimmon development in Station Approach.

Further information on the contents of this report can be obtained by contacting Councillor Lady Newton.

Councillor Lady Newton
Cabinet Member – Enterprise, Housing and Development

Contact:

Councillor Lady Newton

Designation:

Cabinet Member

E-mail:

cllr.ladynewton@braintree.gov.uk

COUNCIL
 30th July 2012

COUNCILLOR SCHMITT – CABINET MEMBER FOR PLACE

Agenda No: 9(i)(d)

Report to Council on Portfolio Area of Place for the period ending 11th July 2012

REPORT COVERS ACTIVITY ENDING 13th July 2012

ENVIRONMENT

BBE

As part of the joint working between BDC Brentwood and Trading Standards our food officers have now received training by Trading Standards Food on what to look for when doing a Food Hygiene inspection which will aid Trading Standards in their work in combating counterfeit food stuffs and substandard food products. So when our officers are inspecting our local food businesses they will be checking for food quality issues and giving advice to our business which will increase the overall food safety for our residents.

Officers were also trained by Trading Standards in providing advice and how to take samples from local Indian restaurants in relation to allergens. There has been a significant rise nationally with the number of people suffering from allergen reactions as a result of eating Indian meals which were not properly described as containing known allergens or ignorance by the chef of the effects of certain allergens on susceptible members of the public. This project will provide greater protection to residents that have may have an allergic reaction to specific food ingredients.

Changes to Scrap Metal Licensing

The increase in metal theft has led to a tightening of the rules around scrap metal dealers. They will have to introduce cashless transactions, and the penalties for breaching the Scrap Metal Dealers Act 1964 have been increased. Councils will be responsible for enforcing these changes. There will be a new national database of scrap metal dealer licences maintained by the Environment Agency, Councils will not only have a key role to play in enforcing the changes made to the regulations around scrap metal dealers that are due to come into force in the autumn, but will have a central role in the new licensing regime for scrap metal dealers.

Multi-agency action at a local level is already being taken to catch metal thieves; our officers are working alongside Trading Standards Officers and the police carrying out road side stop checks.

Illegal tattooist

Officers from the Environmental Health department have cracked down on another illegal tattooist. Following complaints from angry parents whose children, as young as 14 have returned home with tattoo's (you have to be 18), officers were able to trace the tattooist operating from unlicensed premises (their own home) by following up on one of their business cards distributed during the Braintree Carnival. Their operation was traced and their premises raided using the local police as backup. Apart from facing prosecution and a hefty fine all the equipment being used was seized and will be destroyed

LANDSCAPES AND COUNTRYSIDE

Hoppit Mead A project to achieve Local Nature Reserve designation for a specific area of Hoppit Mead Public Open Space. Detailed species surveys have been commissioned and a water vole and wetland invertebrate survey (by ecological consultants) will be conducted over the next few months and the findings will help inform the management plan.

Hedingham River Walk A project to improve access across an existing area of Public Open Space to enable a pedestrian link (via a new bridge) between Alderford Street and the River Walk. Funding for the project is partly through Section 106 contributions and partly through a successful bid through the ECC Community Initiative Fund.

Silver End The first phase of plans for the enhancement of areas of public open space within Silver End have been implemented and the second phase will be completed later in the year. This will see a new wildlife & picnic area being created in a quiet corner of the Memorial Gardens. The new space will be paved with clay stepping stones that local people have been given the opportunity to imprint with their feet or hands (and initials) with any planting being implemented later in the year.

Halstead River Walk Officers are assisting with the formation of and support to a new Friends Group which will help with the management of the recently upgraded riverwalk (funded by Section 106 monies) and will also help progress plans for the delivery of the eastern section of the River Walk.

Mill Green Halstead Assistance is being given to local residents who have asked to help manage the open space and wildflower area (including the provision of new interpretation boards). The area has been submitted as part of the Anglia in Bloom (judging took place on 10th July) and Britain in Bloom on 29th July for 'Best Community Project'. The judges appeared to be impressed with the area and the proposed interpretation boards (S106 funded).

Jubilee Oak Project A permanent record of the tree planting has been created and is now on display in the Main Reception Area of Causeway House. A record of all planting events and locations will also be available to view online. All parishes have been asked to confirm the location, date of planting and who was involved. 71 trees were planted in total across the district.

STREET SCENE

Street Sweeping Contract: Braintree took the lead on a procurement exercise to develop a framework agreement in which all Essex-wide Districts/Boroughs could participate. The outcome of this is that a Framework Agreement has been put in place for the next 4 years with a local service provider, which has resulted in each Authority getting better value for money for the disposal and recycling of its street sweeping waste

WASTE MANAGEMENT

Food Waste: Work is progressing to implement the extension of the food waste service to a further 16,500 households from 24 September 2012. Communications have already commenced with relevant parish councils and local residents, and we will be starting deliveries of the food waste bins next month.

Recycling: The introduction of the weekly food waste service has helped increase our recycling rate from 54.07% to 55.714%; this is a tremendous achievement and puts us 3rd in Essex. In context we collected 55,783 tonnes of waste of which 31,079 tonnes were recycled.

STREET SWEEPING

Deep Clean of Town Centres: We have continued our programme of cleaning of the town centres, focusing on the refurbishment of street furniture and installation and replacement of litter bins, recycling bins and cigarette bins where required. In addition, we have been working closely with partners in Halstead in preparation for the annual In Bloom competitions.

PUBLIC CONVENIENCES As part of the on going transfer of the management and maintenance of the facilities in rural areas, we have recently agreed that the public toilets at Finchingfield and Castle Hedingham will transfer to the Parish Councils by the end of July.

PARKS & OPEN SPACES A national event was held at the BMX track next to Deanery Hill sports ground on the weekend of 23/24 June. The event was a great success, with 650 riders attending. However, the severe wet weather over the weekend led to damage to the football field which was being used as a camping site for the riders. Our staff has been working hard to repair the damage in partnership with the event organisers and the Football Club - so far this is going well.

COMMUNITY SAFETY

Crucial Crew has just completed another successful run. Braintree is leading on the Integrated Offender management work across Essex. This is work to link Community safety and Families with Complex needs to ensure a cohesive multi agency approach across Braintree District.

Cllr W Schmitt

Cabinet Member – PLACE

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

Contact:	Cllr W Schmitt or Cllr R Mitchell
Designation:	Cabinet Member and Deputy
E-mail:	Cllr.wschmitt@braintree.gov.uk

COUNCILLOR SIDALL – CABINET MEMBER FOR PERFORMANCE

Agenda No: 9(i)(e)

Report to Council on Portfolio Area of Performance for the period ending 16th July 2012

Strategic Risk Register

An Initial review of the Council's Strategic Risk Register has been undertaken by Management Board and Cabinet members, but I would also like to open this up for comments by all Members of the Council, I have therefore asked that the Draft register is placed on the Members portal, together with how Members can make comments, I will then take the final version back to Cabinet for approval, I look forward to receiving your input.

Forth Quarter and Annual Performance Management Report

This report was presented by me to Cabinet on 16th July 2012 and it contains a huge amount of information which I would urge Members to have a good look at it. The Forth quarter brings together the final data on how the Council has performed in the 2011/12 year.

Just as important as this on going performance Management information, is how our customers perceive and what they feel about the Council's services, if you have not had a look at the document "Result – Customer Satisfaction Survey" (published June 2012) please do so, it make very interesting reading showing just how well the Council has performed despite the very significant reductions in grant funding which we have seen over recent years.

Below I have highlighted just a few key points from the "Forth Quarter and Annual Performance Management Report"

- Community Transport Scheme – Increased by 9.5% compared to the previous year, providing over 57,000 Journeys.
- Affordable Homes – Despite the back drop of many major developments across the district slowing down, we have still managed to meet our target of 67 affordable homes. Taking the total to 479 over the last 4 years against a target of 400.
- Partnership Working - We have now signed up with Brentwood and Essex to provide a joined up approach to regulatory services removing red tape and building a service that is focused around customer outcomes. The new ICT contract between four authorities: Braintree, Colchester, Rochford and Castle Point, is now implemented, Saving the Council some £1.2 million over the next 5 years.
- Other Successful Projects – Green Heart continues to be a great success in keeping our District clean and tidy. MI-Community successfully launched with the first nine projects receiving investment. Refurbishment of play areas in the

district continues with 3 more completed, with a further 3 planned for 2012/13. Older persons mini guide has been published and distributed around the District to help inform about services and activities that are available.

We have reduced costs and improved the way we provide services, we will continue to focus on how we can work smarter and further develop partnerships to deliver even more in the future.

Statement of Accounts 2011/12

This was presented by me to Cabinet on 16th July 2012, Members should familiarise themselves with this document it shows the Council to be in a healthy financial position, our corporate Director Chris Fleetham has signed these off as a “true and fair view” of the Council’s position, our external Auditors PKF commenced the Audit of the accounts on 9th July 2012, and the accounts will be available for public inspection over a 4 weeks period 1st-29th August 2012.

Review of Corporate Complaints Procedure

Cabinet approved the new procedure on 16th July 2012 and the revised document can be seen in the Cabinet papers.

Welfare Reform – Localised Council Tax Support Scheme

This was presented by Cllr Butland to Cabinet on 16th July 2012 and agreed, members should study the proposals, I intend to arrange Member training on this to ensure all Members are up to speed with these reforms.

Cllr Chris Siddall
Cabinet Member – Performance

Further information on this report can be obtained by contacting:
Cllr Chris Siddall Tel 01376 565302
Cllr John O’Reilly-Cicconi Tel 01787 466030

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

COUNCIL
30th July 2012



Chairman's Report, Councillor Lager, Chairman, Governance Committee	Agenda No: 9(iii)
Audit Committee – Annual Report 2011-12	
Corporate Priority:	We deliver excellent, cost effective and valued services
Report presented by:	Councillor Lager, Chairman Governance Committee
Report prepared by:	Lesley Day, Audit Insurance & Risk Manager
Background Papers: Audit Committee Reports	Public Report
Options:	Key Decision: No
Executive Summary:	
The attached report summarises the activities of the Audit Committee for 2011-12	
Decision:	
Members are invited to note the report.	
Purpose of Decision:	
To receive a report on the activities of the Audit Committee during 2011/2012.	

Corporate implications	
Financial:	None
Legal:	None
Equalities/Diversity	None
Customer Impact:	None
Environment and Climate Change:	None
Consultation/Community Engagement:	None
Risks:	None
Officer Contact:	Lesley Day
Designation:	Audit, Insurance & Risk Manager
Ext. No.	2821
E-mail:	lesley.day@braintree.gov.uk

The following activities were considered by the Audit Committee during 2011/2012:

Audit & Governance

Report: Annual Governance Statement 2010/2011

Received for approval the Annual Governance Statement for incorporation in the Statement of Accounts. Regulation 4 of the Accounts and Audit Regulations 2003 requires "The relevant body shall be responsible for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body's functions and which includes arrangements for the management of risk".

Report: Annual Internal Audit Report 2010 2011

Received the Annual Report on Internal Audit Activity for 2010/11.

Reports: Internal Audit Activity (quarterly)

Received and noted details of the audit assignments completed

Report: Annual Audit Letter 2010/11

Received the Audit Commission's Annual Audit Letter covering the Council's financial audit. The Committee receives the report on behalf of the Council and may make observations to Cabinet who can decide to take action to make improvements based on the external auditor's assessment.

Report: Internal Audit Plan 2012/13

Received and approved the Internal Audit Plan and Risk Assessment.

Report: External Audit Plan 2011/2012

Received and noted PKF External Audit Plan.

Report: External Auditor's Annual Audit Fee letter

Received the External Auditor's proposed audit fee for 2011/2012 and 2012/13.

Report: Bribery Act 2010

Details of a review of the Council's existing policies and procedures to ensure compliance with the requirements of the Bribery Act 2010 which came into effect on 1st July 2011.

Report: Eliminating Public Sector Fraud

Considered a report concerning the expected implementation plan from the Counter Fraud Taskforce and in particular how this Council will take action

Report: BDC Fraud arrangements

Received details of the current fraud arrangements covering Corporate Fraud, Housing Benefit Fraud and the Bribery Act 2010

Report: Grant Claim Certification year end 31/03/11

Received a report summarising the main issues arising from the certification of grant claims for the financial year ending 31st March 2011

Risk Management

Report: Strategic Risks

Received a report detailing the review of the Council's Strategic Risk Register conducted by Cabinet and Management Board together with details of how the significant business risks are being monitored and managed by Management Board in line with the Council's Risk Management Strategy.

Report: Operational Risks

Received details of the annual review of the Council's Operational Risks.

Monitoring & Finance

Report: Receipt of the Statement of Accounts for 2010/11 together with the External Auditor's Annual Governance Report

Considered and approved the Statement of Accounts for 2010/11, which were subject to external audit. The external auditor's report provides a summary of the work the external auditor has carried out during their audit of accounts, the conclusions they have reached and the recommendations they have made to discharge their statutory audit responsibilities to those charged with governance (in this case the Audit Committee) at the time they are considering the financial statements. In preparing their report, the Code of Audit Practice requires them to comply with the requirements of International Standards on Auditing (United Kingdom & Ireland) – ISA (UK&I) - 260 'Communication of Audit Matters to Those Charged With Governance'.

Reports: Quarterly Performance

Noted a copy for information of the Cabinet Report with the forecast position on revenue spending and the capital programme

Reports: Financial Indicators (quarterly)

Noted details of key financial indicators

Report: Review of Treasury Management Strategy 2011/12

Noted and approved a mid-year report on delivery and performance of the Treasury Strategy for 2011/12.

Report: Draft Treasury Management Strategy 2012/13

The Audit Committee reviewed the draft Treasury Management Strategy for 2012/13 and made observations on the draft to the Cabinet, who then presented the Strategy to Full Council for approval in February 2012.

Report: Implementation of IFRS accounting requirements

Received regular update reports on the progress with the implementation of the requirements of the International Financial Reporting Standards

Committee Operation

Report: Audit Committee Self-Assessment Checklist

Completed a Committee self assessment checklist and produced an action plan relating to training requirements.

Also:

Future of Local Public Audit Consultation

Audit Commission Consultation – work programmes and scale of fees

Whole of Government Accounts

COUNCIL
30th July 2012



LIST OF PUBLIC MEETINGS HELD SINCE LAST COUNCIL MEETING	Agenda No: 9(iv)
Corporate Priority: Not applicable Report presented by: Not applicable Report prepared by: Alastair Peace – Member Services Manager	
Background Papers:	Public Report
Published Minutes of the meetings listed within the report below.	
Options:	Key Decision: No
Report for noting	
Executive Summary: Since the last Council meeting held on 11 th June 2012, the following minutes have been published for the meetings held in public session: <ul style="list-style-type: none"> (1) Planning Committee – 12th June 2012 (2) Local Development Framework Sub-committee – 19th June 2012 (3) Licensing Committee – 25th June - 2012 (4) Planning Committee – 26th June 2012 (5) Governance Committee- 28th June 2012 (6) Planning Committee – 10th July 2012 (7) Overview and Scrutiny Committee – 11th July 2012 (8) Cabinet – 16th July 2012 (9) Licensing Committee – 18th July 2012 	
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