

Minutes

Council Meeting



9th October 2017

These Minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available for six months at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J Abbott	Apologies	Councillor G Maclure	Yes
Councillor Mrs J Allen	Yes	Councillor D Mann	Yes
Councillor M Banthorpe	Yes	Councillor J McKee	Yes
Councillor P Barlow	Yes	Councillor R Mitchell	Yes
Councillor J Baugh	Yes	Councillor Mrs J Money	Yes
Councillor Mrs J Beavis	Yes	Councillor Lady Newton	Yes
Councillor D Bebb	Yes	Councillor J O'Reilly-Cicconi	Apologies
Councillor K Bowers	Yes	Councillor Mrs I Parker	Yes
Councillor Mrs L Bowers–Flint	Yes	Councillor Mrs S Paul	Apologies
Councillor G Butland	Yes	Councillor Mrs J Pell	Yes
Councillor S Canning	Yes	Councillor R Ramage	Yes
Councillor J Cunningham	Yes	Councillor F Ricci	Yes
Councillor Mrs M Cunningham	Yes	Councillor B Rose	Yes
Councillor T Cunningham	Yes	Councillor Miss V Santomauro (Vice-Chairman)	Yes
Councillor M Dunn	Yes	Councillor Mrs W Scattergood	Apologies
Councillor J Elliott	Apologies	Councillor Mrs W Schmitt	Yes
Councillor Mrs D Garrod	Apologies	Councillor P Schwier	Yes
Councillor J Goodman	Yes	Councillor C Siddall	Yes
Councillor A Hensman	Yes	Councillor Mrs G Spray	Yes
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor D Hufton-Rees	No	Councillor Miss M Thorogood	Yes
Councillor D Hume	Apologies	Councillor R van Dulken	Yes
Councillor H Johnson	Apologies	Councillor Mrs L Walters	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs S Wilson	Apologies
Councillor S Kirby (Chairman)	Yes		

34 CHAIRMAN'S AND/OR LEADER'S ANNOUNCEMENTS

Chairman

The Chairman's announcements covered the following:

Councillor J Abbott – The Chairman was sorry to announce that Councillor Abbott was not in attendance as his father had passed away on 7th October 2017. On behalf of the Council, the Chairman expressed condolences to Councillor Abbott and his family.

Councillor P Barlow – The Chairman was pleased to welcome Councillor Barlow to the meeting following the recent passing away of his wife. In response, Councillor Barlow thanked the Chairman, Councillors and Officers for their sympathy and kind support.

Anglia in Bloom Awards – The Chairman was pleased to report that following achievements in previous years Halstead in Bloom had been successful in the Anglia in Bloom Awards 2017. Halstead had been awarded gold and had been named as the best town and Halstead Public Gardens had been awarded gold and named as the best medium size park.

The Chairman congratulated the volunteers who committed their time and energy to maintaining the standard of display which made Halstead worthy of the success enjoyed over the years. The Chairman thanked also Braintree District Council's Street Scene Team and Parks and Landscapes Team for their help and assistance. The Anglia in Bloom Award would be formally presented to the Teams later in the meeting.

Leader

The Leader advised Members that in response to a Government announcement regarding rate relief for businesses most affected by the 2017 rating revaluation, the Council's policy for the granting of Discretionary Non-Domestic (Business) Rate Relief had been reviewed and updated. The updated policy had been approved by the Cabinet at a meeting held immediately prior to the Council meeting. Details of the revised policy were available to view on the Council's website.

35 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Agenda Item 7 – 'Recommendation from Cabinet – 5th September 2017 - North Essex Garden Communities - Progress to Date and Key Developments' as a non-remunerated and non-voting Director of North Essex Garden Communities Ltd.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 7 – 'Recommendation from Cabinet – 5th September 2017 - North Essex Garden Communities - Progress to Date and Key Developments' as a non-remunerated Director of North Essex Garden Communities Ltd.

Councillor Mrs J Pell declared a Non-Pecuniary Interest in Agenda Item 6 – ‘Anglia in Bloom Awards’ as Chairman of Halstead Public Gardens Management Committee.

Councillor Mrs J Pell declared a Non-Pecuniary Interest also in Agenda Item 9f – ‘Reports from the Leader and Cabinet Members: Councillor Mrs W Schmitt Environment and Place’ as a plot holder at Halstead Cemetery

Councillor C Siddall declared a Non-Pecuniary Interest in Agenda Item 9a – ‘Reports from the Leader and Cabinet Members: Councillor G Butland Leader of the Council’ as a member of the East of England Local Government Association which had sponsored pilot schemes in Suffolk of the Dutch ‘Buutzorg’ model of care at home.

In accordance with the Code of Conduct, Councillors remained in the meeting and took part in the debate and decision when the Items were considered.

36 **QUESTION TIME**

INFORMATION: There were no questions asked, or statements made.

37 **MINUTES**

DECISION: That the Minutes of the meeting of Council held on 24th July 2017 be approved as a correct record and signed by the Chairman.

38 **PRESENTATION OF THE ANGLIA IN BLOOM AWARD**

The Chairman was pleased to announce that Halstead had been successful in the Anglia in Bloom Awards 2017. Halstead had been awarded gold and named as the best town and Halstead Public Gardens had been awarded gold and named as the best medium size park.

The Chairman invited Councillor Mrs Schmitt, Deputy Leader of the Council and Cabinet Member for Environment and Place, to present the best medium size park award to Officers Bruce Burles, Roger Grace, Andrew Metson, Peter Nice, Phil Shears and Steve Wilson.

Councillor Mrs Schmitt congratulated the staff on their award which they had achieved for the second year in a row. Councillor Mrs Schmitt said that the award was well-deserved, public recognition of the brilliant job that the staff did every day.

Councillor Mrs Pell thanked the staff and said that she was very proud of their work and the personal interest that they took in the Public Gardens.

The Chairman endorsed the comments made and Members of the Council joined him in a round of applause to recognise the success.

RECOMMENDATION FROM CABINET – 5TH SEPTEMBER 2017 - NORTH ESSEX GARDEN COMMUNITIES - PROGRESS TO DATE AND KEY DEVELOPMENTS

INFORMATION: Consideration was given to a recommendation from the Cabinet meeting held on 5th September 2017 regarding the proposed establishment of three North Essex Garden Communities.

A joint strategic vision for the proposed garden communities had been agreed by Braintree District Council, Colchester Borough Council, Essex County Council and Tendring District Council and a dedicated delivery structure had been established by the creation of North Essex Garden Communities (NEGC) Limited and individual, site-focused Local Delivery Vehicles (LDVs).

In accordance with the Neighbourhood Planning Act 2017, New Town Development Corporations (NTDC) which had local accountability could be established pending the approval of secondary legislation. An NTDC would provide a Local Authority with greater flexibility in terms of planning, the assembly of land and in overseeing the delivery of projects. The Board of NEGC Limited supported the creation of one Corporation for North Essex.

A budget had been established to deliver the garden communities and, as part of on-going liaison with the Government, a bid for additional financial support had been made to the Homes and Communities Agency. However, a budget shortfall of £914,000 for 2017/18 had been highlighted and the participating Councils had been requested to make further contributions of £250,000 each.

In an update to this Item, Councillor Butland, Leader of the Council, reported that the Government would be allocating £2.5 million to garden community projects nationwide and that £700,000 of this sum had been designated to North Essex Garden Communities.

DECISION: That Council:-

- (1) Notes the progress made in respect of the North Essex Garden Communities project and endorses the work of North Essex Garden Communities Limited.
- (2) Notes the decisions of the Cabinet and endorses the approach to the progression of the project.
- (3) Allocates £250,000 of unallocated New Homes Bonus to fund the work of North Essex Garden Communities Limited in the development of the project.

REASON FOR DECISION: To provide an update on progress made and the current position regarding the garden communities project and in particular:-

To note that the joint Part One of the Local Plans has been agreed by the three District Councils;

- To note that the proposed governance arrangements approved by the four authorities have been established and that whilst no land deals have been

secured, discussions and negotiations are continuing in respect of all three areas.

- To advise Members of the emergence of the potential to deliver the garden communities through the delivery model of a locally controlled Development Corporation and to seek support for the approach proposed by North Essex Garden Communities Limited.
- To advise Members of the potential use of compulsory purchase powers to gain control of the land to deliver the garden communities and to seek support in principle to the development of an approach to Compulsory Purchase Order powers.
- To provide Members with an update on the financial position of the project and to seek a further financial contribution of £250,000 to the project from each of the Councils.

40 **TREASURY MANAGEMENT STRATEGY – INVESTMENT POLICY**

INFORMATION: Consideration was given to a report on the proposed amendment of the Council's investment policy in order to increase the ability to use 'Pooled Funds'.

Members were advised that the Council's Treasury Management Strategy Statement (TMSS) 2017/18 had been approved on 22nd February 2017. The TMSS included the Annual Investment Strategy which set out the policy to be applied to the management of the Council's financial investments, the associated risks, and the limits to exposure to certain types of investments.

It was reported that the current policy provided an overall limit of £25 million for investment in Non-Specified Investments with a duration in excess of 12 months; or investments with financial institutions which did not have a formal credit rating from leading rating agencies for which a limit of £15 million applied. This limit had enabled the Council to diversify its investment portfolio into Collective Investment Schemes, or 'Pooled Funds'. An individual limit of £5 million was applied to any fund used.

The Council's use of 'Pooled Funds' had been on the basis that such investments would improve the income yield to the Council, whilst recognising that the market valuation of such funds could be volatile. The amount invested in the Council's 'Pooled Fund' portfolio was £15 million, the maximum currently permitted under the TMSS.

It was reported that the Council's cash balances were currently higher than expected due to the Council's capital investment plans. In the longer term these plans would reduce the Council's cash balances and therefore ultimately the amounts available for investment. However, whilst schemes were being formulated, and also taking into account the potential development timescales involved with some of the planned projects, it was currently expected that cash balances would now remain at similar levels to those currently experienced over the medium-term. On this basis and the prolonged period of low interest rates, it was considered appropriate to revise the limit applied to investments permitted in 'Pooled Funds'. It

was proposed that the overall limit of £25 million for investment in Non-Specified Investments should be maintained, but that the limit applied to financial institutions which did not meet the Council's definition of high credit quality should be increased from £15 million to £20 million. The individual limit of £5 million per fund would remain unchanged. Arlingclose Ltd, the Council's treasury management advisors, supported the proposal. Decisions regarding the allocation of finance to 'Pooled Funds' would be made by the Council's Member Strategic Investment Group supported by Officers and advice from Arlingclose Ltd.

DECISION: That an increase of £5 million, from £15 million to £20 million, in the Treasury Management Strategy limit applied to investments with financial institutions without credit ratings, or rated below the Council's definition of high credit quality (ie. 'Pooled Funds') be approved.

REASON FOR DECISION: To recommend an amendment to the Council's investment policy, increasing the capacity to use 'Pooled Funds' as an investment class.

Recommendations on in-year changes to the Council's investment policy would normally be made via a proposal by the Cabinet Member for Finance and Performance at the time Cabinet consider the Mid-Year Treasury Management report following its referral from the Governance Committee. However, due to the change in the timing of the Cabinet meeting held in September 2017, the Mid-Year Treasury Management report would not be received by Cabinet until its meeting to be held on 27th November 2017.

41 **REPORTS FROM THE LEADER AND CABINET MEMBERS AND ORAL QUESTIONS FROM COUNCILLORS - PUBLIC SESSION**

INFORMATION: The Chairman invited the Leader and the Cabinet Members to introduce their reports. Following this, the Chairman invited Members to ask questions. Questions were not limited to the content of the reports and could be about matters relating to a portfolio, the powers and duties of the Council, or the District.

Consideration was given to the reports of the Leader and Cabinet Members.

Councillor Butland, Leader of the Council, added to his report by providing further information on the meeting of the South East Local Enterprise Partnership Board held on 22nd September 2017 and, in particular, the major national funding opportunities for the delivery of infrastructure to support growth. These included the Housing and Infrastructure Fund (HIF) which had been launched by the Department for Communities and Local Government in July 2017. This fund amounted to £2.3 billion in total and incorporated the Marginal Viability Fund and the Forward Funding Fund. Three bids had been submitted by Braintree District Council to the Marginal Viability Fund for schemes relating to Millennium Way slip roads to Galleys Corner, Braintree; the Braintree housing package; and West of Braintree Garden Community. Essex County Council had submitted four bids to the Forward Funding Fund for road improvements from Marks Tey to the A12; the provision of a new road East of Colchester linking Essex University to the A120; Beaulieu Park railway station and a Northern relief road, Chelmsford; and the A120.

Councillor Bebb, Cabinet Member for Finance and Performance, added to his report by stating that prior to the Council meeting the Cabinet had approved an update to the Council's policy for the granting of Discretionary Non-Domestic (Business) Rate Relief. This relief was one of three business rate reliefs announced by the Government in the budget of Spring 2017 to help businesses most affected by the 2017 Rating Revaluation. A total of 272 local businesses would benefit from the Discretionary Relief.

Councillor Mrs Bowers-Flint, Cabinet Member for Planning and Housing, added to her report by stating that Highways England's decision on the preferred route for the widening of the A12 had been delayed to November/December 2017 pending further consideration of emerging and proposed developments. The anticipated start date for the first phase of construction remained 2020.

In a typographical amendment to the report, Councillor Mrs Bowers-Flint stated that the reference to the 'Local Plan' in the final sentence of the final paragraph under the heading 'Planning Policy' should state 'Hatfield Peverel Neighbourhood Plan'.

Members asked several questions arising from the reports. A webcast of the questions to and responses of Cabinet Members is available on the Council's website at: <http://www.braintree.public-i.tv/core/>

The main topics covered were as follows:

- Dutch 'Buutzorg' model of care at home - pilot schemes in Suffolk sponsored by the East of England Local Government Association.
- Braintree District Council and Colchester Borough Council shared payroll system - 50%/50% contribution to cost of Payroll Manager for a six month trial period until the end of January 2018.
- Marks Farm Roundabout, Braintree – update on road safety issue regarding vehicle left turn indicators not cancelling automatically on approach to Kings Lane, Stisted due to the shallow alignment of the road.
- Hope House, Braintree – temporary accommodation for homeless males and difficulties in securing permanent accommodation.
- Assessment of housing need and affordability ratios. (It was noted that a report on this matter would be submitted to Council in December 2017).
- Braintree Foyer – financial support from Braintree District Council.
- A12 Widening – delay in the announcement of the preferred route option.
- Halstead Town Centre Improvements – forwarding of proposals to local Councillors.
- Braintree Town Centre Regeneration – update.

- The Fountain, John Ray Recreation Ground and other heritage assets in Braintree - upkeep.
- The Council's 'Contact' Magazine. Staff in the Marketing and Communications Team were congratulated on the high quality of this publication.
- Halstead Cemetery - whether the new cremated remains area is consecrated ground.
- 'Live Well, Keep Safe' – success of event held in Witham on 4th October 2017.
- World Alzheimer Day – virtual dementia training.
- Harry Potter School of Witchcraft and Wizardry Exhibition at Braintree District Museum. Museum Service staff were thanked for their work on this event which had been very successful.
- National Autistic Society - new Essex Branch based in Braintree.

The following action was agreed in response to questions raised by Members:

- Councillor Mrs Schmitt, Deputy Leader of the Council and Cabinet Member for Environment and Place, agreed to provide information on whether the new cremated remains area at Halstead Cemetery was consecrated ground.

42 **LIST OF PUBLIC MEETINGS HELD SINCE THE COUNCIL MEETING OF 24TH JULY 2017**

INFORMATION: The following meetings had been held since the last meeting of Council:-

Planning Committee – 1st August 2017
 Licensing Committee – 16th August 2017
 Planning Committee – 29th August 2017
 Cabinet – 5th September 2017
 Governance Committee – 6th September 2017
 Planning Committee – 12th September 2017
 Overview and Scrutiny Committee – 20th September 2017
 Braintree Local Highways Panel – 21st September 2017
 Planning Committee – 26th September 2017
 Local Plan Sub-Committee – 2nd October 2017

The following meetings had been cancelled since the last meeting of Council:-

Planning Committee - 15th August 2017
 Licensing Committee - 13th September 2017
 Local Plan Sub-Committee - 28th September 2017

No matters were raised.

There were no matters raised in Private Session.

The meeting commenced at 7.15pm and closed at 8.31pm.

Councillor S Kirby
(Chairman)