

# Minutes

## Cabinet

### 14th March 2022



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A recording of the meeting is available at <http://www.braintree.gov.uk/youtube>

#### Present:

Portfolio	Cabinet Member	Present
Overall Strategy	Councillor G Butland (Leader of the Council)	Yes
<b>Innovative Environment</b>		
Finance and Corporate Transformation	Councillor J McKee	Yes
Climate Change and the Environment	Councillor Mrs W Schmitt	Yes
Operations and Commercialisation	Councillor R van Dulken	Yes
<b>Connecting People, Places and Prosperity</b>		
Economic Growth	Councillor T Cunningham (Deputy Leader)	Yes
Housing, Assets and Skills	Councillor K Bowers	Yes
Planning and Infrastructure	Councillor Mrs G Spray	Yes
<b>Supporting Our Communities</b>		
Health and Wellbeing	Councillor P Tattersley	Apologies
Communities	Councillor F Ricci	Yes

**Present as Invitees of the Leader:** Councillor D Mann (Leader of the Labour Group) and Councillor Mrs J Pell (Leader of Halstead Residents Association). Apologies for absence were received from Councillor J Abbott (Leader of the Green and Independent Group).

#### 41. DECLARATIONS OF INTEREST

**INFORMATION:** The following interests were declared:-

Councillor G Butland declared a Non-Pecuniary interest in Agenda Item 6b – ‘Award of Three Skills Programmes for the North Essex Economic Board (NEEB) via a South East Local Enterprise Partnership (SELEP) Framework Agreement’ as an Elected Member of Essex County Council.

Those minutes identified by the prefix \*\* may be the subject of the “call-in” provisions of the Constitution within 5 working days of the publication of these minutes. Any decisions made and not “called in” by this date and time will become effective. For further information regarding these minutes please contact the Governance and Members Team, on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

Councillor T Cunningham declared a Non-Pecuniary interest in Agenda Item 6b – ‘Award of Three Skills Programmes for the North Essex Economic Board (NEEB) via a South East Local Enterprise Partnership (SELEP) Framework Agreement’ as an Elected Member of Essex County Council and also as Braintree District Council’s Cabinet Member for Economic Growth.

42. **MINUTES**

**DECISION:** The Minutes of the meeting of the Cabinet held on 7th February 2022 were approved as a correct record and signed by the Chairman.

43. **QUESTION TIME**

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

44. **\*\*SERVERS AND INFRASTRUCTURE UPGRADE**

Minutes Published: 21st March 2022
Call-in Expires: 28th March 2022

**INFORMATION:** Members were reminded that this item was linked to Item 10a in the Private Session of the Agenda and that if any Member wished to refer to the private information contained within the report for that Item it would be necessary for the meeting to be moved into Private Session.

**DECISION:** That, under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting if it is necessary to discuss Item 10a of the Agenda and the private report, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

This Item was considered entirely in the Public Session of the meeting. There was no discussion in Private Session, nor disclosure of information contained in the private report. However, Members agreed that the information contained in the private report would remain exempt from public disclosure in accordance with paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972. Minutes of both the public report and the private report have been produced and these are set out below.

**INFORMATION:** It was noted that the Council’s ICT server infrastructure had been installed in 2015 and that it would reach its end of life during 2022. Although the Council could continue to use the equipment beyond 2022 this would increase the risk of equipment failure, which could be costly in working time lost, recovery and maintenance.

Three options had been considered. These were to continue to operate a hybrid model and to replace the server infrastructure; to migrate all services to the ‘cloud’; or to do nothing. It was reported that the hybrid model including the upgrading of servers, the storage facility and the backup system was considered to be the optimum solution for the Council. This would enable the Council to remain resilient and to continue to make use of ‘cloud’ and on-site hosted systems as appropriate. A full

procurement process would commence in the early part of the 2022/23 financial year. In order to avoid any unnecessary delay, it was proposed that the Corporate Director (Operational) should be authorised to award the contract at the conclusion of the procurement process, provided that the successful bid was within the approved budget.

The Council would seek to implement the new server and associated infrastructure late in the 2022/23 financial year. The budget for the upgrade of the ICT servers and infrastructure had been approved by the Council on 21st February 2022 and details of this were set out in the private report attached to the Agenda.

**DECISION:** Cabinet agreed that:-

- (1) The Council continues to operate its ICT services as a hybrid model and takes steps to replace the server infrastructure.
- (2) The Council undertakes the appropriate procurement process for the replacement of the Council's server infrastructure in line with the budget set out in the Confidential Appendix to the Agenda.
- (3) Delegated authority be given to the Corporate Director (Operational) to award the contract at the conclusion of the procurement process, provided that the contract is within the approved budget as set out in the Confidential Appendix to the Agenda.

**REASON FOR DECISION:** Braintree District Council relies on technology in order to deliver services and the wide variety of functions that the Council operates require a range of ICT solutions and services to support them. ICT services are operated as a hybrid model, with a range of 'cloud' hosted applications and Software as a Service (SaaS) solutions which are used by Members and Officers. There are also some services and equipment which are hosted on-site.

In 2022/23 the organisation is due to replace a large number of on-site hosted assets, predominantly server infrastructure to support systems. During 2021 the ICT Team worked with vendors and consultants to look at options for the replacement of this infrastructure, including architecture required, solutions needed and hosting options for systems.

#### 45. **THIRD QUARTER PERFORMANCE MANAGEMENT REPORT 2021/22**

**INFORMATION:** Consideration was given to the Council's Third Quarter Performance Management Report for the period 1st October 2021 to 31st December 2021. This was the first report regarding performance as measured against the 'Bouncing Back Together' document, which highlighted how the District could recover and grow in the next few years.

It was noted that as at the end of December 2021, a total of two projects had been completed with 51 projects on track and progressing well. Ten projects had an amber status resulting in delays for a number of reasons. These included supply chain issues, resource issues and prioritisation of workloads.

Targets had not been set for all performance indicators due to the disproportionate impact of the Covid-19 pandemic. However, for those that remained eight performance indicators had met or exceeded their target and five performance indicators had missed their target. Three indicators that had missed their target by less than 5% were in relation to the percentage of invoices paid within 30 days; the collection rate for Council Tax; and the collection rate for Business Rates. Two indicators had missed their target by more than 5% and these were in relation to recycling rates; and the waiting time for disabled facility grants.

Key achievements in the third quarter included:

- An improvement scheme had been launched in December 2021 to improve the look and feel of shop fronts in High Streets.
- The Braintree Christmas light switch on had been delivered successfully – the first big event to make the most of the new pedestrianised area.
- Launched funding for businesses to invest in cycle storage facilities.
- Launched the Council's Climate Change Strategy during 'COP26' with a number of climate change action videos demonstrating how businesses, residents, schools, community groups and individuals were working to tackle climate change across the District.
- Worked with Parish Councils, Town Councils, schools, community and voluntary groups to plant a total of 18,700 native trees and 73,000 bulbs across the District.
- Worked with Community 360 to provide activities and a nutritious meal for more than 440 children, supporting their families during the winter school holidays.
- I-Construct - a £2.3 million centre of excellence for construction innovation opened for business.
- Positive feedback was received from businesses featured in the 'Love Braintree District Shop Local' campaign. This had been launched in December 2021 to encourage shoppers to support independent businesses and traders in the run up to Christmas.
- Funding for two additional Business Adaptations Grants was delivered, distributing a total of £479,000 in time for Christmas.
- A further 111 affordable homes had been delivered in the third quarter taking the total for the year to 301.

The out-turn financial position for the third quarter showed that after taking into account the projected impact of the Covid-19 pandemic and variations to the base budget, the net budget position forecast for the year was a positive variance of £699,000. The estimated budget impact of the pandemic in 2021/22 was £868,000, which was expected to be off-set by funding received from the Government. Proposals for the 2022/23 budget included savings of £367,000, which had been reflected in the projected out-turn as these were considered to be on-going. After taking into account other planned movements in balances, the projected change in General Fund unallocated balances was an increase of £191,000. Expenditure on capital projects up to 31st December 2021 was £21.8 million which related mainly to expenditure on Horizon 120 Business Park infrastructure; the new Horizon 120 Enterprise Centre; I-Construct; Manor Street, Braintree regeneration scheme; town centre improvements; and Halstead Leisure Centre artificial grass pitch.

**DECISION:** The performance of the Council for the third quarter (October 2021 to December 2021) was noted.

**REASON FOR DECISION:** The purpose of the report is to summarise the performance of Braintree District Council at the end of the third quarter (October 2021 to December 2021).

46. **\*\*WITHAM AND HALSTEAD TOWN CENTRE PUBLIC REALM IMPROVEMENTS**

Minutes Published: 21st March 2022
Call-in Expires: 28th March 2022

**INFORMATION:** Consideration was given to a report on a series of proposed public realm improvements to Witham and Halstead town centres.

In 2019 external consultants had been commissioned to undertake a survey of each town centre and to consider what could be done to improve their public realm, overall attractiveness and usability, and in 2021 consultation had taken place with Witham Town Council and Halstead Town Council. The support of Essex County Council would be critical to the implementation of the proposed works as it owned the land which would be subject to improvement. Essex Highways had been advised of the consultants' plans and the Town Councils' requirements and they had highlighted the need for further feasibility studies and design work for both Witham and Halstead town centres in respect of potential changes to road layouts. The proposals for each town centre were set out in the report.

It was noted that the procurement of the improvement work would be carried out in two stages. One stage would seek to appoint a design and build contractor to manage non-highway elements and the other would seek to appoint highway engineers to undertake a feasibility study of the highway proposals. Subject to the findings of the feasibility study, further procurement may be required to appoint a contractor to undertake the highway work. Additional funding may also be required from alternative sources. The budget for the proposals had been approved by Full Council on 21st February 2022 based on initial estimated costs.

**DECISION:** Cabinet agreed to:

- (1) Carry out a tender exercise to appoint highway engineers to deliver a feasibility study which would identify opportunities to provide sections with a new highway layout in Witham Town Centre and Halstead Town Centre.
- (2) Carry out a tender exercise to appoint design and build contractors to deliver, design, specify and seek agreement from Essex County Council as the Highway Authority for public realm improvements in Witham Town Centre.
- (3) Carry out a tender exercise to appoint design and build contractors to deliver, design, specify and seek agreement from Essex County Council as the Highway Authority for public realm improvements in Halstead Town Centre.

- (4) Delegate authority to the Corporate Director for Growth, in consultation with the Cabinet Member for Economic Growth, to award the contracts at the conclusion of the procurement process, provided that the contracts are within the approved budget of £746,200.00.

**REASON FOR DECISION:** Braintree District Council has allocated capital funding to deliver public realm improvements to the town centres of Halstead and Witham. The improvements as set out in the Agenda will ensure that the pedestrian journey through and the functional environments of the town centres are improved and that footfall is able to increase for the benefit of local businesses and communities.

Consultants were appointed to carry out initial condition surveys and to review street furniture and highway layouts in the High Streets in order to recommend improvements with estimated costs. Based on these costs an additional budget for these improvements was approved by Full Council in February 2022 giving a total budget of £746,200.00 to deliver the project in both locations.

Approval of is required for a number of procurement exercises which will take forward the works in Witham and Halstead town centres.

47. **\*\*AWARD OF THREE SKILLS PROGRAMMES FOR THE NORTH ESSEX ECONOMIC BOARD (NEEB) VIA A SOUTH EAST LOCAL ENTERPRISE PARTNERSHIP (SELEP) FRAMEWORK AGREEMENT**

Minutes Published: 21st March 2022 Call-in Expires: 28th March 2022
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**INFORMATION:** Members were reminded that the Council was a member of the North Essex Economic Board (NEEB). This was a partnership between Maldon District Council, Uttlesford District Council, Tendring District Council, Colchester Borough Council, Chelmsford City Council and Essex County Council, which sought to support businesses and the economy across North Essex. As part of a wider programme to support the North Essex economy, the NEEB had agreed to pool Additional Restrictions Grant (ARG) funding which had been allocated to Local Authorities by central Government to support businesses through the Covid-19 pandemic. Allocation of this funding was required by 31st March 2022.

To date, pooled ARG funds had been used by Tendring District Council to procure a programme of Energising Essex events; by Maldon District Council to seek tenders for a Low Carbon programme for business support; and by Essex County Council for the procurement of five business support programmes. It was proposed that Braintree District Council should procure three digital skills programmes on behalf of NEEB in order to fulfil the need for digital inclusion. This need had been highlighted in the North Essex Economic Strategy and by NEEB's objective to develop a skilled and resilient workforce which was able to withstand pressures in the local economy. The programmes would be delivered by The Shaw Trust Ltd, Tech Talent and 'We Are Digital'.

The Shaw Trust Ltd's skills programme would work with learners to complete training and placements in businesses; the Tech Talent skills programme would offer certified

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courses in IT qualifications and apprenticeships and the 'We Are Digital' skills programme would focus on digital inclusion and training. Proposals had been received from each of the providers and these had been considered by the NEEB Board, which had confirmed its agreement to the award of the contracts in accordance with the South East Local Enterprise Partnership (SELEP) framework. As the NEEB Board was not a formal decision making body, the Council would procure the contracts on the Board's behalf. The contracts would be managed by NEEB's Programme Manager and quarterly reports would be submitted to the Board and to NEEB's Officer Steering Group.

**DECISION:** Cabinet agreed to the Council awarding three contracts for the provision of skills programmes across North Essex via the South East Local Enterprise Partnership (SELEP) framework for the provision of skills training as follows:-

Lot 1 – A one year contract with Shaw Trust Ltd for a total value of £165,960.00  
Lot 2 – A six month contract with Tech Talent for a total value of £300,000.00; and  
Lot 3 – A one year contract with 'We Are Digital' for a total value of £81,360.00

**REASON FOR DECISION:** To seek approval for Braintree District Council to award three contracts for the provision of skills programmes for North Essex on behalf of the North Essex Economic Board.

48. **OPEN SPACES SUPPLEMENTARY PLANNING DOCUMENT – OPEN SPACES ACTION PLAN**

**INFORMATION:** Consideration was given to a report on the proposed Open Spaces Action Plan (OSAP) 2022.

Members were reminded that the Open Spaces Supplementary Planning Document (SPD) had been adopted in September 2009. This document informed developers as to how the Council would seek to secure planning obligations in order to mitigate and enhance open space provision in response to new development. The Council was required to supplement the SPD with evidence to demonstrate where contributions would be spent and this was the function of the OSAP. The OSAP listed open spaces that required enhancement and new open spaces that would meet a recognised need, by Ward and by Parish. The Plan also showed open space deficits as identified by the Council's Green Spaces Strategy 2008.

The open space proposals listed in the OSAP had not been ranked in accordance with importance or priority as they were dependent on the availability of finance. Consultation on the review of the OSAP had taken place between 5th November 2021 and 28th January 2022. A number of responses had been received and appropriate amendments had been made to the Plan.

In responding to the consultation, some Parish Councils had requested that funding forthcoming from Section 106 Agreements should be spent on community assets as well as open spaces within their villages. In response, Councillor Mrs Spray, Cabinet Member for Planning and Infrastructure, reported that the use of Section 106 Agreement contributions overall was to be reviewed by the Council and that this could

include a review of the OSAP. A Member Reference Group would be set up to assist with this.

**DECISION:**

- (1) That the Open Spaces Action Plan 2022, as set out in Appendix 1 of the Agenda report, be approved.
- (2) That the intention of the Cabinet Member for Planning and infrastructure to carry out a review during the Civic Year 2022/23 as to how Section 106 Agreement contributions are utilised, be supported, including the establishment of a Member Reference Group to oversee the process.

**REASON FOR DECISION:** The Open Spaces Action Plan (OSAP) is a table of outline proposals for the provision and enhancement of open spaces in the Braintree District. Its purpose is to demonstrate the need for these and enables Council Officers to identify where financial contributions sought from developers under the Open Spaces Supplementary Planning Document may be spent.

The Plan forms part of the Council's evidence base for securing planning obligations from developers to enhance existing open spaces, or to provide new ones. Adoption of the Open Spaces Action Plan 2022 will replace the 2021 version.

49. **\*\*SERVERS AND INFRASTRUCTURE UPGRADE – PRIVATE (Minute Admissible in the Public Domain)**

Minutes Published: 21st March 2022 Call-in Expires: 28th March 2022
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**INFORMATION:** This Item was considered entirely in the Public Session of the meeting. There was no discussion in Private Session, nor disclosure of information contained in the private report. However, Members agreed that the information contained in the private report would remain exempt from public disclosure in accordance with paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972. This Minute does not disclose any private information contained in the private report and it is admissible in public.

**INFORMATION:** It was noted that the Council's ICT server infrastructure had been installed in 2015 and that it would reach its end of life during 2022. Although the Council could continue to use the equipment beyond 2022 this would increase the risk of equipment failure, which could be costly in working time lost, recovery and maintenance.

Three options had been considered. These were to continue to operate a hybrid model and to replace the server infrastructure; to migrate all services to the 'cloud'; or to do nothing. It was reported that the hybrid model including the upgrading of servers, the storage facility and the backup system was considered to be the optimum solution for the Council. This would enable the Council to remain resilient and to continue to make use of 'cloud' and on-site hosted systems as appropriate. A full



procurement process would commence in the early part of the 2022/23 financial year. In order to avoid any unnecessary delay, it was proposed that the Corporate Director (Operational) should be authorised to award the contract at the conclusion of the procurement process, provided that the successful bid was within the approved budget.

The Council would seek to implement the new server and associated infrastructure late in the 2022/23 financial year. The budget for the upgrade of the ICT servers and infrastructure had been approved by the Council on 21st February 2022 and details of this were set out in the private report attached to the Agenda.

**DECISION:** Cabinet agreed that:-

- (1) The Council continues to operate its ICT services as a hybrid model and takes steps to replace the server infrastructure.
- (2) The Council undertakes the appropriate procurement process for the replacement of the Council's server infrastructure in line with the budget set out in the Confidential Appendix to the Agenda.
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**REASON FOR DECISION:** Braintree District Council relies on technology in order to deliver services and the wide variety of functions that the Council operates require a range of ICT solutions and services to support them. ICT services are operated as a hybrid model, with a range of 'cloud' hosted applications and Software as a Service (SaaS) solutions which are used by Members and Officers. There are also some services and equipment which are hosted on-site.

In 2022/23 the organisation is due to replace a large number of on-site hosted assets, predominantly server infrastructure to support systems. During 2021 the ICT Team worked with vendors and consultants to look at options for the replacement of this infrastructure, including architecture required, solutions needed and hosting options for systems.

The meeting commenced at 7.15pm and closed at 8.00pm

**COUNCILLOR G BUTLAND**  
(Leader of the Council)