

# Minutes

## Cabinet

### 18<sup>th</sup> December 2019



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available at [www.braintree.gov.uk](http://www.braintree.gov.uk).

#### Present:

Portfolio	Cabinet Member	Present
Leader of the Council	Councillor G Butland	Yes
Deputy Leader of the Council Economic Development and Infrastructure	Councillor T Cunningham	Yes
Communities Culture and Tourism	Councillor F Ricci	Yes
Corporate Transformation	Councillor J McKee	Yes
Environment and Place	Councillor Mrs W Schmitt	Yes
Finance and Performance Management	Councillor D Bebb	Yes
Health and Wellbeing	Councillor P Tattersley	Yes
Homes	Councillor K Bowers	Yes
Planning	Councillor Mrs G Spray	Yes

Also present as invitees of the Leader: Councillor Mann, Leader of the Labour Group and Councillor Mrs Pell, Leader of the Halstead Residents Group.

Councillors Mrs Cunningham, Hensman and Schwier were also present.

Apologies had been received from Councillor Abbott, Leader of the Green and Independent Group and Councillor Unsworth, Chairman of the Performance Management Board.

#### 35 **DECLARATIONS OF INTEREST**

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

- Councillor J McKee declared a Non-Pecuniary Interest in Agenda Item 6a – ‘Presentation to Cabinet of the Braintree District Museum Trusts Business Plan for 2019 to 2024’ as a Trustee of the Braintree District Museum Trust and as a Director of the Warner Archive Limited.

- Councillor F Ricci declared a Non-Pecuniary Interest in Agenda Item 6a – ‘Presentation to Cabinet of the Braintree District Museum Trusts Business Plan for 2019 to 2024’ as a Trustee of the Braintree District Museum Trust.

## 36 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Cabinet held on 2<sup>nd</sup> December 2019 be approved as a correct record and signed by the Chairman.

## 37 **QUESTION TIME**

**INFORMATION:** There was one statement made in relation to Agenda Item 8b – “Pedestrianisation of Braintree Town Centre: Consultation Report and Feasibility Studies”. Councillor Andrew Hensman, expressed the concerns of a local resident regarding the pedestrianisation of Braintree Town Centre and how this may affect local businesses.

## 38 **FUSION ANNUAL PRESENTATION TO CABINET**

**INFORMATION:** The Cabinet received a presentation on the annual performance report of Fusion, the providers of the Council’s leisure contract. The report was presented by Carl Bentley, Regional Business Manager and Jon Richardson, Contract Business Manager from Fusion.

The presentation slides may be viewed at:

<https://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/942/Committee/3/Default.aspx>

## 39 **PRESENTATION TO CABINET OF THE BRAINTREE DISTRICT MUSEUM TRUSTS BUSINESS PLAN FOR 2019 TO 2024**

**INFORMATION:** The Cabinet received a presentation by Shelia Charrington, Chair of the Braintree Museum Trust and Robert Rose, Braintree Museum Manager on the Business Plan for the Museum Trust for 2019 to 2024.

The presentation slides may be viewed at:

<https://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/942/Committee/3/Default.aspx>

## 40 **MEDIUM-TERM FINANCIAL STRATEGY 2020-21 TO 2023-24**

**INFORMATION:** Councillor Bebb, Cabinet Member for Finance and Performance, introduced the report to Members.

Members were advised that the process of rolling forward the Council’s four-year financial plan commenced with a report to Cabinet, on 9th September 2019, with an initial review of the Medium-Term Financial Strategy (MTFS) 2019/20 to 2022/23; which had been agreed by Council on 25th February 2019.

The report provided Members with an update on the progress of the Financial Profile and the Medium-Term Financial Strategy 2020/21 to 2023/24; unavoidable cost pressures; and work on identifying options for revenue cost reductions and additional income to meet the anticipated funding shortfalls over the next four years and the initial budget proposals, both revenue and capital, for 2020/21.

**DECISION:** That Cabinet agreed:

- a) No changes are proposed to the Local Council Tax Support Scheme for 2020/21 and consequently there is no requirement for consultation to be undertaken; and
- b) The Revenue Budget and Capital Programme for 2020/21, as presented in this report, constitute the initial Budget proposals and that views are sought as appropriate.

**REASON FOR DECISION:** Good governance arrangements through the proactive management of the Council's finances over the short and medium term.

41 **RECOMMENDATION FROM THE CORPORATE GOVERNANCE GROUP – 24TH OCTOBER 2019 – TREASURY MANAGEMENT MID-YEAR REPORT 2019-20**

**INFORMATION:** Consideration was given to a report on the Council's treasury management activities. The Council's treasury management activities were regulated by statutory requirements and by a Code of Practice ("the Code") issued by the Chartered Institute of Public Finance. A key requirement of the Code was that, along with an annual strategy, the Council would also receive at least one mid-year report on its treasury management activities.

It was reported that capital expenditure and financing were forecast to be £11.603m, which represented a £18.738m reduction from what had been estimated originally under the Treasury Management Strategy Statement (TMSS). This slippage was attributed to a number of District Investment Strategy (DIS) projects (such as the Manor Street Regeneration and Horizon 120 projects) and as such, was largely reflected in the reduced amount of borrowing expected to be required in 2019/20.

With regard to investment activity, investments had averaged £64.403m with a peak of £71.414m for the period 1st April 2019 to 30th September 2019. The current forecast was that investments would average around £60m for the year, which was higher than the amount that had been originally assumed in the TMSS at £41m. It was anticipated that these balances would reduce in the medium-term as the programme for the District Investment Strategy progressed.

Members were advised that on 8th October 2019, an additional £1m had been invested in the Kames Diversified Fund, and that a further £1m would be invested in mid-November, subject to the outcome of a further review at that time.

In respect of investment returns, it was stated that the overall return to 30<sup>th</sup> September 2019 was £681,044, or 2.11%. Dividends from long-term pooled funds were paid quarterly and subject to variation, and up to the end of September, amounts received or declared were £491,766, or 5.45%. The budget for investment income was £996,000 and it was currently expected that this would be overachieved by £157,000 to give a projected income of £1.153m.

With regard to non-treasury investments, it was reported that the Council held direct property investments with a market value of £36.303m; these comprised industrial land and units, shops, offices and other commercial property. For the period 2019/20, the net rental income was expected to be in excess of £2m, which represented a return of approximately 6%. Further income was also generated from non-commercial property, such as through the mixed usage of Causeway House.

**DECISION:** That Cabinet accepted the Treasury Management Mid-Year Report for 2019-20 and recommended that Full Council accepts the Treasury Management Mid-Year Report.

**REASON FOR DECISION:** The Council has adopted the CIPFA Code of Practice for Treasury Management in Public Services which required the Council to receive at least one Mid-Year Report on its Treasury Management activities. This report was considered first by the Corporate Governance Committee before being recommended on to Cabinet and Full Council.

## 42 **SECOND QUARTER PERFORMANCE MANAGEMENT REPORT 2019/20**

**INFORMATION:** Members considered the report which summarised the performance of the Council at the end of the second quarter (July 2019 to September 2019).

It was reported that as at the end of September 2019, five projects were completed and a further 48 projects were on track and progressing well. One project had been cancelled due to the Government delaying the consultation on its proposed 75% Business Rate retention scheme and the Fair Funding Review which would impact on the Council's finances.

Ten performance indicators had met or exceed target and five performance indicators had missed their target of which one missed by less than 5% and four missed by more than 5%. The areas of underperformance were in relation to the cleanliness standards across the District in respect of litter, recycling rates, average waiting time for disabled facility grants, average call answering time in the Customer Service Centre and the percentage of invoices paid within 30 days. Outturns in these areas are being monitored closely.

Members were advised that an overall positive variance was projected for the year of £715,000 (-4.9%) against budget. Across all services staffing budgets were forecast to be underspent by £221,000; and after allowing for the corporate efficiency target of £200,000, this resulted in a net projected variance of -£21,000. Other expenditure was projected to be underspent by £192,000 and income was projected to be overachieved by £502,000.

The forecast variance for the year had changed by £73,000 from that reported at Q1, which projected a positive variance of £642,000. The change was mainly due to an improvement in the overall amount of income expected (+£47,000) along with further reduced net spending: Staffing costs (-£30,000) and Other Expenditure (+£4,000). Variances identified at this quarter had been assessed in terms of their potential impact on the Council's emerging proposals for the 2020/21 Budget.

**DECISION:** That Cabinet noted and endorsed the Council's performance as at the end of the year, as detailed in the attached report.

**REASON FOR DECISION:** To inform the Cabinet of the performance of the Council.

43 **NORTH ESSEX ECONOMIC GROWTH STRATEGY**

**INFORMATION:** Members were advised that Braintree had been working with Essex County Council, Uttlesford District Council, Colchester Borough Council and Tendring District Council to produce a North Essex Economic Strategy.

The North Essex Economic Strategy provided a platform for strategic intervention at a scale which would achieve transformation in the overall economic prosperity of the North Essex area, and complimented local economic activity which the partners delivered. Alongside the North Essex Economic Strategy, a Prosperity Prospectus for Essex was also being prepared and both documents would inform and influence the development of the South East Local Enterprise Partnership Local Industrial Strategy. Following on from the approval of the Strategy, an Action Plan would be developed to guide the delivery of the key actions.

**DECISION:** That Cabinet agreed:

1. To approve the North Essex Economic Growth Strategy;
2. To note that the Strategy's priorities will contribute to the Essex Prosperity Prospectus and the SELEP Local Industrial Strategy;
3. To note the partnership structures which are in place to facilitate the strategy;
4. To note that an Action Plan will developed to guide delivery of key actions; and that a process for reporting progress will be established by the partners.

**REASON FOR DECISION:** To approve the North Essex Economic Strategy and note the proposals to take the strategy forward.

44 **PEDESTRIANISATION OF BRAINTREE TOWN CENTRE – CONSULTATION REPORT AND FEASIBILITY STUDIES**

**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.

Both Agenda Items were taken together to enable consideration of all issues. It was not necessary for the debate to be moved into Private Session, although the report at Item 10a remained private.

**INFORMATION:** Members considered the report on the Pedestrianisation of Braintree Town Centre.

It was reported that Braintree High Street between the Town Hall and Sandpit Lane was closed to through traffic with the exception of deliveries and town centre bus routes. Some vehicles with blue badges could also use the High Street for access and park for short periods of time. This caused difficulties for buses and delivery vehicles using the relatively narrow single carriageway. The High Street and Market Place were subject to reconstruction in the early 1990s with more recent remedial work undertaken to repair localised failure and extend asset life. The surface quality of the High Street was now very poor and demanded full reconstruction to carriageways, footways and drainage.

Calls to fully pedestrianise the High Street in Braintree had increased over time leading to the 2018 consultation to evaluate: The level of user support for the proposed pedestrianisation of the town centre, to gauge the town centre audience views on the concept of pedestrianisation, and if and how the Council might pursue High Street pedestrianisation.

The six week consultation ended on 15th October 2018 with the intention of giving businesses, workers, visitors and shoppers as well as residents an opportunity to give their thoughts and opinions on the proposal.

The consultation findings had shown a clear majority of support for the concept of pedestrianising Braintree town centre as well as a prioritised list of themes that were of interest to the respondents and that would inform how the Council designed a public realm that delivered what people wanted. It was worth noting however that no detail or artist impression was used as to the potential scheme.

There was an obvious need to consult with businesses, access groups, the Highways Authority, public transport operators, and others, as groups with distinct needs that pedestrianisation could have a negative impact upon. A useful scheme design would need to ensure that it delivered all of the advantages that people voted for, and that it adequately contended with the disadvantages that prevented people from being able to vote in favour.

**DECISION (PUBLIC REPORT):** That Cabinet agreed:

1. To assign Braintree District Council's capital budget in line with the report, and pursue external funding sources to deliver the fullest project scope wholly or in part dependant on available resources.
2. Through pedestrianisation deliver a public realm improvement scheme that makes the town centre more economically vibrant and attractive for people who shop, work and live in Braintree.
3. To commence a public consultation exercise including workshops and stakeholder information events to help shape the public realm projects.
4. To delegate to the Corporate Director – Growth the authority, in consultation with the Cabinet Member for Economic Development, to negotiate on behalf of the

Council with Essex County Council on the design, development and delivery of the pedestrianisation and public realm improvements.

5. To note the changes to the Manor Street Project Reference Group.

**REASON FOR DECISION:** To approve the pedestrianisation and public realm improvement scheme with associated works in Braintree town centre and to assign budget in principle to allow project delivery to commence.

**DECISION (PRIVATE REPORT):** That Cabinet agreed:

1. To assign Braintree District Council's capital budget in line with the report, and pursue external funding sources to deliver the fullest project scope wholly or in part dependant on available resources.
2. Through pedestrianisation deliver a public realm improvement scheme that makes the town centre more economically vibrant and attractive for people who shop, work and live in Braintree.
3. To commence a public consultation exercise including workshops and stakeholder information events to help shape the public realm projects.
4. To delegate to the Corporate Director – Growth the authority, in consultation with the Cabinet Member for Economic Development, to negotiate on behalf of the Council with Essex County Council on the design, development and delivery of the pedestrianisation and public realm improvements.
5. To note the changes to the Manor Street Project Reference Group.

**REASON FOR DECISION:** To approve the pedestrianisation and public realm improvement scheme with associated works in Braintree town centre and to assign budget in principle to allow project delivery to commence.

The meeting commenced at 7.15pm and closed at 9:06pm.

COUNCILLOR G BUTLAND  
(Leader of the Council)