

Minutes

Cabinet

4th February 2013



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.

Present:

Portfolio	Cabinet Member	Present
Leader of the Council	Councillor G Butland (Chairman)	Yes
People and Participation	Councillor Mrs J Beavis	Yes
	Councillor P Tattersley	Yes
Performance and Efficiency	Councillor D L Bebb	Yes
	Councillor J T McKee	Yes
Place	Councillor Mrs W Schmitt	Yes
	Councillor R G S Mitchell	Yes
Planning and Property	Councillor Lady Newton	Yes
	Councillor J O'Reilly-Cicconi	Yes
Prosperity and Growth	Councillor C Siddall (Deputy Leader of the Council)	Yes

Councillor Barlow, Leader of the Labour Group, and Councillor Dr Evans, Chairman of the Overview and Scrutiny Committee, were also present as invitees of the Leader.

Apologies for absence were received from Councillor Abbott, Leader of the Green Group, also an invitee of the Leader.

The following Councillor was also in attendance: Councillor Ramage.

Mr P Adams, Chief Executive of Greenfields Community Housing and Mr D Eagles of PKF (UK) LLP (External Auditors) were also in attendance.

91. DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:

- Councillor G Butland declared a Non-Pecuniary Interest in Agenda Item 8 – Cabinet Member Updates (Councillor Lady Newton, Cabinet Member for Planning and Property - Essex County Council's Replacement Minerals Local Plan) as a Member of Essex County Council.
- Councillor J T McKee declared a Non-Pecuniary Interest in Agenda Item 6a - Council Budget and Council Tax 2013/14 and Medium Term Financial Strategy

2013/14 to 2016/17 as the Chairman of the Trustees of Braintree Museum Trust, and a Board Member of Ignite Business.

- Councillor C Siddall declared a Non-Pecuniary Interest in Agenda Item 6a - Council Budget and Council Tax 2013/14 and Medium Term Financial Strategy 2013/14 to 2016/17 as a Board Member of Ignite Business.

In accordance with the Code of Conduct, all Members remained in the meeting for all items, unless stated otherwise, and took part in the debate and decision thereon.

92. **QUESTION TIME**

INFORMATION: There were no statements made or questions asked.

93. **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 3rd December 2012 be approved as a correct record and signed by the Chairman.

94. **LEADER'S UPDATE**

The Leader of the Council reported on the following matters:-

A120 Meeting With Minister for Transport - A meeting had taken place on 7th January 2013 between representatives of Braintree District Council, Colchester Borough Council, Tendring District Council, Essex County Council and some Suffolk authorities with Stephen Hammond MP, Minister for Transport. Discussion had taken place about improvements required to the A120. Subsequent meetings with the Minister had been arranged and a second round of funding allocations was expected soon.

Parish and Town Councils Summit - 31st January 2013. Details of the proposed Localism Fund had been presented to Parish and Town Council representatives. Subject to agreement by local Parish and Town Councils, the Fund would replace the current parish support scheme. The Braintree Association of Local Councils had agreed to collate the views of local Councils on the proposal and to forward these to the District Council by 22nd March 2013.

95. **COUNCIL BUDGET AND COUNCIL TAX 2013/14 AND MEDIUM TERM FINANCIAL STRATEGY 2013/14 TO 2016/17**

INFORMATION: Consideration was given to a report on the Council's proposed budget and Council Tax 2013/14 and the Medium Term Financial Strategy 2013/14 to 2016/17.

In discussing this item, reference was made to the Parish and Town Council Summit held on 31st January 2013 when discussion had taken place on the proposal to replace the current parish support scheme with a Localism Fund. It was noted that the payment of a grant from the Fund would be subject to local Parish and Town Councils supporting the proposal.

At the Summit, representatives of smaller Parish Councils had referred to the cost of maintaining local facilities eg. play areas. It was agreed that Councillor Bebb, Cabinet

Member for Performance and Efficiency, should investigate how the Council might be able to assist these Councils and to report back to Cabinet.

DECISION: That it be **Recommended to Council** that the following be approved:-

1. The budget variations to the current base budget for: inflation (section 7 in the report), investment income (section 8.1) and the adjustments of bids and unavoidable budget changes in previous years (Appendix C);
2. The savings as detailed in Appendices E and F;
3. The Priority Areas Investment bids detailed in Appendix A;
4. The request to carry forward £34,000 of planning income from 2012/13 to 2013/14;
5. The New Burdens Grant of £74,093 to be received in 2013/14 be held in an earmarked reserve, to be utilised in respect of the Local Council Tax Support scheme and authorised by the Cabinet Member for Planning and Property;
6. The unavoidable budget changes in 2013/14 detailed at Appendix B;
7. The Council Tax Freeze grant receivable from the Government in 2013/14 be accepted;
8. The Council's discretionary fees and charges for 2013/14 as detailed in Appendix H;
9. The Council's housing rents and service charges are increased by 3.1% for 2013/14, as detailed in Appendix H, and that the service charges at Craig House, as specified in the report, be charged in addition to the rent to those occupying the guest room at Craig House;
10. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste and Town Hall Centre fees and charges for commercial purposes;
11. The Council's Pay Policy for 2013/14 as detailed in Appendix J;
12. An allocation of £382,758 from the General Fund unallocated balance in 2013/14;
13. The New Homes Bonus allocation for year 3, of £605,958, is added to the New Homes Bonus earmarked reserve;
14. Transfers between earmarked reserves in 2012/13 and estimated drawdown from earmarked reserves for 2013/14 as detailed in Appendix M;

Capital

15. The General Fund Capital bids for 2013/14 listed in Appendix N;

Treasury Management

16. The Prudential Indicators and limits set out in Appendix P;
17. The Policy on Minimum Revenue Provision as recommended in Appendix P;
18. The Treasury Management Strategy, including annual investment strategy, for 2013/14 (Appendix P);

Council Tax

19. The proposed estimates (producing a budget requirement for council tax purposes of £15,489,059) as detailed in Appendix K and the Council Tax for 2013/14 of £161.19 for a Band D property, having taking into consideration:
 - The consultation feedback received;
 - The assessment of risks in the budget assumptions;
 - The Equalities Impact Assessments and
 - The Section 151 Officer's report on the robustness of the estimates and the adequacy of balances (Appendix R to the report).

That the following be noted:

20. The Efficiency Review programme as detailed in Appendix G.
21. That, subject to consultation with and agreement by Parish and Town Councils, an additional grant payment totalling £174,299 is to be made to Parish and Town Councils in 2013/14, to mitigate the reduction in their council taxbase, as agreed by the Leader of the Council on 21st December 2012.

REASON FOR DECISION: To determine the budget and council tax level proposals for 2013/14 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

96. **ANNUAL AUDIT LETTER 2011/12**

INFORMATION: Mr D Eagles of PKF (UK) LLP (External Auditors) spoke on this item.

Consideration was given to the Annual Audit Letter. This summarised the key issues arising from the work carried out by PKF during the financial year 2011/12. The Governance Committee had received and considered the Letter on 16th January 2013 and had recommended that it be accepted. The Letter was positive with no significant issues to be raised with Members, key stakeholders or members of the public.

The Leader reported that Mr Eagles' audit term at Braintree District Council was coming to an end and he thanked Mr Eagles for his work and assistance and wished him well for the future.

DECISION: That the Annual Audit Letter for 2011/12 be received.

REASON FOR DECISION: To receive and agree a response, if required, to the External Auditor's Annual Audit Letter as required under Section 4 of Part 3 of the Council's Constitution.

97. **DISPOSAL OF LAND TO HOUSING ASSOCIATIONS FOR AFFORDABLE HOUSING DEVELOPMENT**

INFORMATION: Consideration was given to a report on the disposal of three Council-owned sites at land rear of Lancaster Way, Braintree; land off New Street, Halstead and land off Forest Road, Witham to housing associations for the development of affordable housing.

Lettings to all three sites would be made through the Council's register in accordance with normal lettings' policies, which restricted the first letting of new affordable homes to people with a strong connection to the District.

DECISION: That it be **Recommended to Council** that the following be approved:-

- (1) The disposal of land at:
 - the rear of Lancaster Way, Braintree to Greenfields Community Housing for the provision of new rented affordable housing;
 - Forest Road, Witham to Greenfields Community Housing for the provision of new rented affordable housing;
 - off New Street, Halstead to a partner housing association, yet to be confirmed, for the provision of new rented affordable housing.
- (2) That authority be delegated to the Corporate Director and Cabinet Member to agree the final terms of the land disposals.

REASON FOR DECISION: To enable the development of affordable housing in the District.

98. **UPDATE ON DELIVERING THE HOUSING STOCK TRANSFER PROMISES**

INFORMATION: Mr P Adams, Chief Executive of Greenfields Community Housing, spoke on this item.

Consideration was given to an annual update on 96 promises which Greenfields Community Housing had agreed at the transfer of the Council's housing stock in 2007 to deliver to tenants and leaseholders within a five year period. Mr Adams was pleased to report that all promises had been met.

DECISION: It was noted that Greenfields Community Housing had met all of the housing stock transfer promises.

REASON FOR DECISION: To make sure that Members are aware of the progress made by Greenfields Community Housing towards the promises made at stock transfer.

99. **CABINET MEMBER UPDATES**

INFORMATION: Councillor Lady Newton, Cabinet Member for Planning and Property, drew Members' attention to Essex County Council's Replacement Minerals Local Plan which was currently subject to public consultation. Councillor Lady Newton indicated that representatives of the County Council would be available at Great Notley Discovery Centre on 5th February 2013 to answer questions.

Councillor Lady Newton, Cabinet Member for Planning and Property, stated that Priti Patel MP would be leading a debate in the House of Commons on 5th February 2013 on improvements required to the A120.

100. **REFERENCES FROM COUNCIL/COMMITTEES/GROUPS - GOVERNANCE COMMITTEE – 16TH JANUARY 2013 –TREASURY MANAGEMENT STRATEGY STATEMENT**

INFORMATION: Members were advised that on 16th January 2013 the Governance Committee had considered the draft Treasury Management Strategy for 2013/14 which incorporated the Council's annual investment strategy; prudential indicators; and minimum revenue policy.

DECISION: That the draft Treasury Management Strategy for 2013/14 and its associated policies be supported, subject to further advice being sought from Arlingclose Ltd, the Council's treasury management advisors, on the suitability and risk of investing funds in longer term investments of 3-5 years and/or Registered Providers eg. housing associations. (The Cabinet's recommendation on the Strategy to Council is contained in Minute 95 - Council Budget).

REASON FOR DECISION: To demonstrate appropriate scrutiny over the Council's Treasury Management Strategy Statement prior to approval by Full Council.

101. **MINUTES FROM CABINET SUB GROUPS - TO BE NOTED**

DECISION: That the Minutes of the meetings of the Local Development Framework Sub-Committee held on 5th and 13th December 2012 and the Developing Democracy Group held on 8th January 2013 be noted.

102. **CABINET MEMBER DECISIONS MADE UNDER DELEGATED POWERS**

INFORMATION: The following decisions had been made by Cabinet Members under delegated powers:-

Councillor Lady Newton – Cabinet Member for Planning and Property
18th December 2012.

Response to the Department for Communities and Local Government's consultation on "Extending permitted development rights for homeowners and businesses".

Councillor J McKee – Deputy Cabinet Member for Performance and Efficiency
28th December 2012.

Approval of the post of Programme/Projects Officer

DECISION: That the delegated decisions set out in the report be noted.

REASON FOR DECISION: The reasons for each decision can be found in the individual Delegated Decisions.

The meeting commenced at 7.15pm and closed at 8.30pm.

G BUTLAND
(Leader)