

Minutes

Cabinet

30th March 2015



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
	Councillor T G Cunningham	Yes
People and Participation	Councillor J C Beavis	Yes
	Councillor P Tattersley	Yes
Performance and Efficiency	Councillor D L Bebb	Yes
	Councillor J T McKee	Yes
Place	Councillor J W Schmitt	Apologies
	Councillor R G S Mitchell	Yes
Planning and Property	Councillor Lady Newton	Yes
	Councillor J O'Reilly-Cicconi	Yes

Also present as invitees of the Leader:

Councillor Abbott, Leader of the Green Group
Councillor Barlow, Leader of the Labour Group
Liz Storey, Chief Executive of Ignite Business Enterprise
Nigel Harley, Chairman of Ignite Business Enterprise

An apology for absence was received from Councillor Dr Evans, Chairman of the Overview and Scrutiny Committee.

Councillor Ramage was also in attendance.

68 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:

Councillor J T McKee declared a non-pecuniary interest in Agenda Item 5d – 'Ignite Business Enterprise' as a Director of Ignite.

69 **QUESTION TIME**

INFORMATION: There were no statements made or questions asked.

70 **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 2nd February 2015 be approved as a correct record and signed by the Chairman.

*Members agreed that Agenda Item 5d 'Ignite Business Enterprise' would be brought forward and taken at the start of business on the Agenda.

71 **IGNITE BUSINESS ENTERPRISE**

INFORMATION: Members received a presentation from Liz Storey, Chief Executive and Nigel Harley, Chairman of the Ignite Business Enterprise on the progress with the delivery of business start-up services.

The question and answer debate along with the slides from the presentation can be viewed at <http://www.braintree.gov.uk/meetings/meeting/752/cabinet>

72 **LEADER'S UPDATE**

There were no updates from the Leader.

73 **ANNUAL PLAN 2015-16**

INFORMATION: The Annual Plan set out the actions and performance targets for 2015/16. The actions and targets support the Corporate Strategy 2012-16, which was previously agreed in February 2012. The actions and performance targets are aligned to each of the corporate strategy themes:

- Place
- People
- Prosperity
- Performance
- Partnerships

Progress made against these actions and targets will be reported to Cabinet quarterly.

DECISION: Cabinet approved the Annual Plan 2015/16.

REASON FOR DECISION: To agree the Council's key priorities for 2015/16.

74 **DEVOLUTION PROPOSAL**

INFORMATION: The fifteen local councils of Greater Essex (Essex County Council, Essex district, borough and city councils and Southend-on-Sea and Thurrock Councils) have been working together to explore devolution ideas and draft proposals which could see the transfer of powers and funding from central Government to Greater Essex authorities.

At the devolution meeting on the 5th March 2015, Leaders agreed that there was consensus to continue to explore devolution. The first phase of work has been completed (Jan to March '15) with a letter sent to Secretary of State for Communities and Local Government as an expression of interest.

Between now and June, officers will continue to work on developing proposals and an evidence base. Leaders will meet again in June to recap on work to date and agree the next phase of work. A press release has been circulated on progress to date. Members will be kept informed as the project progresses and timescales emerge.

The Leader of the Council wished to pay tribute to the Chief Executive, who has been the Lead Chief Executive on the Devolution Proposal.

DECISION: Cabinet noted the current position on the devolution proposal for Greater Essex.

REASON FOR DECISION: For Members to be updated on the work to date in exploring devolution for Greater Essex.

75 **THIRD QUARTER PERFORMANCE MANAGEMENT REPORT 2014-15**

INFORMATION: For the third quarter of the year the Council continued to make positive progression in the delivery of the key corporate projects, financial performance and delivery of key operational performance actions.

At the end of the third quarter 14 projects had been completed and 31 were on track, there were delays to one project which is being managed accordingly.

The Council is forecasting a budget underspend/over achievement of income of £540,000 (4%) against a budget of £15.2 million. The main reasons were:

- A projected over achievement of income of £721,000.
- An underspend across service staffing budgets projected to be £214,000; however, after allowing for the corporate efficiency target of £325,000, this results in a projected shortfall in achieving the target by £111,000.
- Other expenditure budgets are projected to be overspent by £70,000

The budget variance was £119,000 higher than reported in the second quarter of the year mainly due to an increase of £98,000 in the amount of additional income projected across services

With regards to the key performance indicators there was a small number that were not quite achieving as expected. For the majority of performance indicators, with an amber status, performance has been affected by seasonal factors, these are expected to meet the target by the end of the financial year.

- 9 performance indicators have met target
- 5 performance indicators have missed target by less than 5%
- 2 performance indicators have missed target by more than 5%

All underperforming indicators are being monitored and action plans are being developed to mitigate any down turn in performance.

Examples of good performance include:

- Essex wide campaign to reduce litter by up to 50% came to a close at the end of September and has resulted in a significant difference in the reduction of litter across the district. 41% reduction in branded fast food litter across Essex and 68% reduction in branded fast food litter across the District

- Installation of Solar Panels of the roofs of the Braintree Swim and Halstead Leisure Centers which are now generating electricity. Braintree Swim Centre is the biggest Local Authority owned solar panel roof system in the country.
- The transfer of facilities at Parish Councils is now complete and facilities are now managed locally to meet local needs, including carparks.
- Ignite Business Enterprise have supported 58 business startups, creating a total of 90 new jobs.
- 8 new apprentices have been recruited at Braintree District Council, and 5 apprentices from the previous cohort have progressed on to a NVQ Level 3.
- The Council continues to remove 100% of fly tips within 24 hours.

DECISION: Cabinet noted and endorsed the report.

REASON FOR DECISION: That Cabinet was informed about the performance of the Council.

76 **STRATEGIC RISK MANAGEMENT**

INFORMATION: The strategic risk register forms one part of the Council's overall approach to risk management, other facets include: processes for identifying and recording operational risks, risk registers for major projects, business continuity planning and emergency planning.

The number of strategic risks identified had remained unchanged at seven, since the last review conducted in May/July 2014.

DECISION: Cabinet approved the Strategic Risk Register and the Action Plans, for managing the high rated risks, as detailed in Appendix B to the report.

REASON FOR DECISION: To demonstrate that the Council regularly identifies the strategic risks which may affect the achievement of its objectives and that it actively manages them, as appropriate.

77 **BUSINESS GROWTH LOAN FUND**

INFORMATION: Braintree District will see significant growth in the coming decades, resulting in development of up to 14,000 new homes by 2031. This presents a significant requirement for employment growth estimated at up to 20,000 new jobs; both figures will be determined through the Local Plan process.

A substantial proportion of employment growth will be from the growth or expansion of existing businesses, with the remainder from inward investment. Evidence suggested that a significant barrier to business growth, particularly for SME's (small and medium sized enterprises), was access to loan finance to invest in premises, in investing in new plant and machinery, and additional plant and machinery. The availability of loan finance for premises and equipment was also a factor in inward investment decisions, particularly for small and medium sized investments. Both will require a reliable source of investment capital.

Research also indicates the SME & businesses' borrowing needs were not being met by the high street banks, with 45% of loan applications refused consistently over recent years and other practices (such as the cancellation of business overdrafts) severely constraining businesses' access to credit and finance, dampening the

potential for significant employment and economic growth.

In order to support economic growth and stimulate job creation, it was therefore proposed to establish a Business Growth Loan Fund for which £500,000 was set aside in the 2015/16 Budget. Applications for loans would be assessed against the impact of that investment in stimulating growth and creating jobs in the District. Loans would be offered for a maximum of 50% of the value of investment (with the balance invested by the private sector). It was expected that the £500,000 would initially be drawn down in the fund over a three year period commencing in 2015/2016. This would generate a minimum of £1,000,000 of investment if fully loaned. Every effort would be made to secure further public investment into the fund (for example through SELEP and European funding) to increase the value of investment that could be supported. As a loan fund, repayments (with interest) would be available to fund further loans in future years – the evidence from similar schemes was that default rates tend to be low.

DECISION:

1. That the details of the Business Growth Loan Fund as set out in this report be approved.
2. That the criteria for loan funding through the Business Growth Loan Fund as set out in the report be approved.
3. To approve delegated responsibility to the Corporate Director, Finance for Agreeing loans under £50,000, including all Funding Circle's Loans, and that the Cabinet Members for Prosperity and Growth and Performance and Efficiency will be kept informed of applications and progress.
4. To approve delegated responsibility for loans of over £50,000 to be approved by the Cabinet Member for Prosperity and Growth, in consultation with the Corporate Director Finance and Cabinet Member for Performance and Efficiency.

REASON FOR DECISION: To give Cabinet approval for the creation of a Business Growth Loan Fund; and give Cabinet approval for the criteria governing Council investment through the Business Growth Loan Fund; and to give Cabinet approval for the process for approving loan applications including delegation levels.

78 **BRAINTREE DISTRICT COUNCIL CLIMATE LOCAL STRATEGY AND ACTION PLAN**

INFORMATION: In November 2013 a report was brought to Cabinet seeking approval for the Council to sign the LGA Climate Local Commitment and approval to develop a Climate Local Strategy and Action Plan. Cabinet requested that the Strategy and action plan be redrafted to be more aligned to the Council's corporate priorities and then bring the documents back to a future meeting of the Cabinet for approval prior to going out to public consultation.

The report introduced the new draft Braintree District Council Climate Local Strategy and Action Plan 2015-2018, developed to address climate change and the associated issues of energy saving and carbon reduction, fuel poverty, sustainable development and climate change impacts.

Members were advised that the public consultation period for the Braintree District Council Climate Local Strategy and Action Plan 2015-2018 will run for a six week

period starting from the first of June.

DECISION:

1. That the Braintree District Council's Climate Local Strategy and Action Plan for publication for public consultation was approved.
2. Following the public consultation exercise the Cabinet Member for Place, in consultation with the Corporate Director, was given delegated authority to approve the final document for publication.

REASON FOR DECISION: To establish Braintree District Council's continued commitment, leadership and ambition to tackle climate change and take positive action to minimise its effect on Council services and the residents of the District.

79 **NEIGHBOURHOOD PLANNING AREA APPLICATION FROM KELVEDON, HATFIELD PEVEREL AND FEERING PARISH COUNCIL**

INFORMATION: The Localism Act 2011 introduced neighbourhood development plans which helped communities with or without Parish or Town Councils to establish general planning policies for the development and use of land in a neighbourhood. Once completed this will form part of the statutory development plan for the area and will be used in the determination of planning applications.

Braintree District Council received separate applications to designate individual neighbourhood area from Kelvedon Parish Council, Feering Parish Council and Hatfield Peverel Parish Council's under s61g of the Town and Country Planning Act 1990 (as amended). The application proposed that the neighbourhood area would cover the extent of each individual parish.

DECISION:

Cabinet approved;

1. The application for a neighbourhood area for Kelvedon Parish Council.
2. The application for a neighbourhood area for Hatfield Peverel Parish Council
3. The application for a neighbourhood area for Feering Parish Council.

REASON FOR DECISION: To determine that an appropriate neighbourhood area has been submitted by Hatfield Peverel, Kelvedon, and Feering parishes and to agree those extents.

80 **PROPOSED DISPOSAL OF PART OF BRAMSTON SPORTS CENTRE SITE, WITHAM**

Minutes Published: 22 nd April 2015 Call-in Expires: 30 th April 2015
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INFORMATION: Members were reminded that this item was linked to Item 14a 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.

In the circumstances, it was moved, seconded and agreed:-

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 14a of the Agenda and from 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 meeting to be moved into Private Session.

INFORMATION: Following the opening of the new Witham Leisure Centre and recent demolition of the redundant Bramston Sports Centre buildings in Witham, the Council had been considering disposal options for the site. The vacant site comprised approximately 3.7 acres. The site adjoined the River Brain to the east and part of the site is situated within the flood plain. This site is now surplus to the needs of the Council.

The Council looked to maximise the capital receipt from the site it is also assessed the economic development, employment opportunities and Council Tax and Business Rate revenue opportunities in terms of assessing its disposal strategy.

Any disposal of the site would normally be exempt of VAT; however, in order to protect the Council's partial exemption status it was proposed that a decision to Opt to Tax the site was made before 31 March 2015. This meant that any future sale of the site would be subject to VAT. An offer has been received to purchase part of the site (0.68 acres) for the construction of a 12,000 sq.ft. office building.

DECISION (Public Report):

1. Cabinet approved an Opt to Tax on the former Bramston Sports Centre site (as shown outlined in Appendix 1) based on the details included within this report.
2. Cabinet approved the disposal of part of the former Bramston Sports Centre site (as shown outlined in black and labelled 'Proposed 2-Storey Office' on the attached plan at Appendix 2) on the terms set out within this report or on such other terms and conditions as agreed by the Cabinet Member for Planning and Property and Corporate Director (Finance).

DECISION (Private Report):

1. Cabinet approved an Opt to Tax on the former Bramston Sports Centre site (as shown outlined in Appendix 1) based on the details included within this report.
2. Cabinet approved the disposal of part of the former Bramston Sports Centre site (as shown outlined in black and labelled 'Proposed 2-Storey Office' on the attached plan at Appendix 2) on the terms set out within this report or on such other terms and conditions as agreed by the Cabinet Member for Planning and Property and Corporate Director (Finance).

REASON FOR DECISION: To enable the Council to dispose of part of the Bramston Sports Centre site in Witham to realise a capital receipt. This site is now surplus to requirements.

81 **CABINET MEMBER DECISIONS MADE UNDER DELEGATED POWERS**

DECISION: Cabinet noted the delegated decisions set out in the report.

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

82 **MINUTES - LOCAL PLAN SUB-COMMITTEE - 12 JANUARY 2015**

DECISION: Cabinet noted the Minutes of the meeting of the Local Plan Sub-Committee held on 12th January 2015.

83 **MINUTES - DEVELOPING DEMOCRACY GROUP - 3RD FEBRUARY 2015**

DECISION: Cabinet noted the Minutes of the meeting of the Developing Democracy Group held on 3rd February 2015.

The Leader of the Council shared his thanks with Councillors Abbott, Barlow and Dr Evans for their contribution towards the Cabinet during the term of the Council. The Leader also passes on his thanks to all Cabinet Members, Officers for their hard work and support during the term of the Council.

The meeting commenced at 7.15pm and closed at 8.25pm.

G BUTLAND
(Leader)