

Minutes

Cabinet

26th November 2018



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	Yes
Deputy Leader of the Council	Councillor Mrs W Schmitt	Apologies
Environment and Place	Councillor R van Dulken	Yes
Planning and Housing	Councillor Mrs L Bowers-Flint	Yes
	Councillor Mrs G Spray	Apologies
Economic Development	Councillor T Cunningham	Yes
	Councillor K Bowers	Yes
Health and Communities	Councillor P Tattersley	Yes
	Councillor F Ricci	Apologies
Finance and Performance	Councillor D Bebb	Yes
Corporate Services and Asset Management	Councillor J McKee	Yes

Also present as invitees of the Leader:

Councillor Barlow, Chairman of the Overview and Scrutiny Committee
Councillor Mann, Representative of the Labour Group
Councillor Mrs Pell, Leader of Halstead Residents Association

Councillor Johnson was also in attendance.

36 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

- Councillor Mrs L Bowers-Flint declared a Non-Pecuniary Interest in Agenda Item 6b – ‘North Essex Garden Communities Ltd – Shareholder Approvals and Update’ as a non-voting member of the North Essex Garden Communities Ltd.
- Councillor G Butland declared a Non-Pecuniary Interest in Agenda Item 6b – ‘North Essex Garden Communities Ltd – Shareholder Approvals and Update’ as a Non-Remunerated Director of the North Essex Garden Communities Ltd.

- Councillor J McKee declared a Non-Pecuniary Interest in Agenda Item 7a – ‘Medium-Term Financial Strategy 2019-20 to 2022-23’ as Chairman of trustees of the Braintree District Museum Trust.
- Councillor Mrs J Pell declared a Non-Pecuniary Interest in Agenda Item 7a – ‘Medium-Term Financial Strategy 2019-20 to 2022-23’ as Chairman of the Halstead Community Centre Charitable Company.

37 **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 10th September 2018 be approved as a correct record and signed by the Chairman.

38 **QUESTION TIME**

INFORMATION: There were no statements made.

39 **FUSION LIFESTYLE ANNUAL REPORT TO CABINET**

INFORMATION: The Cabinet received a presentation by Carl Bentley, Divisional Business Manager from Fusion, the providers of the Council’s leisure contract.

The presentation slides may be viewed at:

<http://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/694/Committee/3/Default.aspx>

40 **LEADER’S UPDATE**

The Leader of the Council had two updates to make.

Letter received from the Inspector in regards to the Local Plan – The Leader made a statement in response to the letter received from the Inspector regarding the Local Plan. The Leader advised Members that he would publish this statement in his Cabinet Member report to Full Council on 10th December 2018.

Letter sent to David Finch, Leader of Essex County Council, regarding the budget setting for 2019-20 – The Leader advised Member that he had written to Councillor David Finch, Leader of Essex County Council regarding the setting of the budget for 2019 – 20. It was reported that the Leader had requested that the County Council and District Council work closely in the setting of the budget to minimise to impact on residents. At current there were no prospective implications on ECC services from the draft budget proposals, for Braintree District Council. The Leader requested early notification of any ECC budget proposals that would have any financial implications for the District Council. The Leader drew attention to the significant programme of investment that was due to be launched. The Leader advised that he would circulate his letter to all Members.

41 **NORTH ESSEX GARDEN COMMUNITIES LTD – SHAREHOLDER APPROVALS AND UPDATE**

<p>Minutes Published: 3rd December 2018 Call-in Expires: 11th December 2018</p>

INFORMATION: Members were asked to consider the report, which sought the Council to continue to support North Essex Garden Communities Ltd (NEGC Ltd) as the strategic delivery vehicle for the North Essex Garden Communities projects through approval of both an Interim Business Plan, Budget and Financial Procedures.

The Leader of the Council identified the key operational priorities for NEGC Ltd, which included:

- Continuing to advocate and work with Government for the establishment of a locally led Development Corporation in North Essex including the preparation of a Development Corporation operating structure and funding requirements for testing with Government;
- Undertaking initial work with the Councils to prepare a mandate in support of a designation for a locally led Development Corporation that is financed and supported by all NEGC directors and shareholders;
- Stepping up engagement with the existing and proposed new communities to give them a strong sense of ownership of the emerging new Garden Communities;
- Assisting the Councils as planning authorities by carrying out further work in relation to the Local Plan evidence base including: additional infrastructure, delivery and phasing work; demonstrating the viability of the Garden Communities; and input into the Rapid Transit System work;
- Assisting in the creation of a North Essex Economic Strategy, and ensuring that it maximises the benefits to Garden Communities;
- Preparing a costed Business Plan for approval by the Board by January 2019;
- Exploring the approach to secure an interest in land either via negotiation or compulsory purchase;
- Evolving the optimum approach to delivery including the corporate delivery and financing structure, exploring finance agreements with potential external funding and delivery partners;
- Engaging with Infrastructure and Utility providers to confirm anticipated infrastructure demand and how it may be provided (considering the benefit of public/private ownership options), over the proposed NEGC development period.

DECISION: That Cabinet agreed:

1. To approve the implementation of an Interim Business Plan (subject to confirmation of government funding) for NEGC Ltd for 2018/19 including the associated Budget as set out in Appendix A;
2. To approve the Financial Procedure Rules for NEGC Ltd as set out in Appendix B;

3. To authorise the Section 151 Officers to agree any allocation of the project funds held by Colchester Borough Council between NEGC and the North Essex Authorities;
4. That Cabinet recommends to Council that it allocates £100,000 from the balance of unallocated New Homes Bonus to fund the work of NEGC Ltd in the development of the project upon a formal request by way of a NEGC Board resolution.
5. To note that a report will be considered at a future Cabinet and Council meeting in respect of funding assumptions for 2019/20; and
6. To agree the preparation of a full options appraisal of the Garden Communities delivery options to enable members to take future decisions on potential Development Corporation proposals, with linked oversight arrangements between the North Essex Authorities.

REASON FOR DECISION:

1. This report provides an update on progress to date and the current position regarding the North Essex Garden Communities Project and seeks the approval of key documents which are necessary to enable North Essex Garden Communities Limited (NEGC Ltd) to operate more effectively.
2. Note that this report does not, other than for information, address any Local Plan issues. Decisions relating to the Local Plan and any wider planning functions are dealt with separately. Any decisions made in relation to, or by, NEGC Ltd cannot predetermine or prejudice the outcome of the proper Local Plan process.

42 **MEDIUM-TERM FINANCIAL STRATEGY 2019-20 TO 2022-23**

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

The Ministry of Housing, Communities and Local Government (MHCLG) published a Technical Consultation on the 2019-20 Local Government Finance Settlement. A response was submitted on behalf of the Council by the Cabinet Member for Finance and Performance.

The Government in the consultation paper proposed:

- Confirmation of the final year of the four-year offer as set out initially in 2016/17.
- To apply the same referendum principles in 2019/20 as applied in 2018/19. Shire districts in two-tier areas will be allowed increases of up to 3% or up to and including £5.00, whichever is higher.
- To eliminate the negative Revenue Support Grant (RSG) included in the provisional Settlement Funding Assessment for 2019/20 the amount for this Council is £291,482.

- That it would have to increase the New Homes Bonus (NHB) scheme baseline in 2019/20 (from 0.4%) due to the continued upward trend for house building. Also further consultation would be undertaken on the NHB scheme after 2019/20 and whether this was the most effective way to incentivise housing growth.

MHCLG issued a prospectus inviting local authorities to submit proposals to pilot 75% business rates retention in 2019/20. On 25th September a bid was submitted on behalf of fifteen of the sixteen authorities in Essex. The Cabinet Member for Finance and Performance, in consultation with the Corporate Director (Finance), agreed to this Council's participation. The outcome of the consultation and the announcement of the successful bids to pilot 75% Business Rate Retention would be included in the Provisional Funding Settlement Assessment for 2019/20 which MHCLG was aiming to publish on 6th December 2018.

Local Government funding reforms were due to be introduced from 2020/21, which would include a 75% Business Rate Retention scheme and a reset of Business Rate Baselines as informed by the outcomes of the Fair Funding Review and of the Government's Spending Review 2019.

Bids for revenue funding to meet unavoidable budget demands and new investments total £1,480,230, in 2019/20 and £187,730 in 2020/21. Just over half (£787,160) of this was an ongoing requirement and therefore was needed to be added to the base budget. Other requests, totalling £693,070 in 2019/20 and £122,000 in 2020/21, were for one-off budget requirements.

The requests for an addition to base budget include a request from Development Management for additional staff to process the increased volume and complexity of major planning applications. Five additional staff were requested with a budget requirement of £231,560. The additional staff would also enable the use of Planning Performance Agreements and this combined with an anticipated continuation of planning application fee income exceeding the current budget provide funding sufficient to meet the additional budget request. With qualified planning professionals in short supply it was anticipated that it would take time to fill the new posts and therefore it was requested that Full Council gives early consideration of approving these budget increases (expenditure and income) to allow the recruitment process to commence in December/early January.

The unavoidable budget demands included a proposal to allocate a proportion of the estimated surplus on the Council Tax Collection Fund from 2018/19 of £113,625 between the Town/Parish Councils and this Council. The proportion payable to the Town/Parish Councils was £21,040 and was for 2019/20 only. It was proposed that this was recommended for approval by Full Council in order that the Parish/Town Councils could be notified in sufficient time to enable this resource to be discussed as part of their budget and precept setting for 2019/20.

The review of service budgets had identified budget adjustments with a total of £886,990. These had been agreed by Management Board as they did not have a direct impact on customers or service delivery. In addition to the agreed budget adjustments there were three proposals for additional income which would either have a potential impact on residents, customers or local organisations or involve policy

issues and therefore would require decision by Members. These proposals had a total value of £158,200 in 2019/20 and were as follows:

- Disabled Facilities Grant (DFG) – proposed increase in the amount taken from the grant allocation to meet the cost of administering the scheme. Current charge was 10% of the value of each grant approved, up to a maximum of £500, it was proposed to increase this to 15% up to a maximum of £750.
- Investment returns – an analysis of the Council’s cashflow over the next four years shows that there were sufficient funds available to invest a further sum of £2million in pooled funds.
- Development Management – proposal to expand the use of Planning Performance Agreements (PPA). A PPA was a bespoke programme agreed with developers to cover all pre-application discussions and a timetable for the determination of the planning application for a ‘premium fee’.

The Council had participated in an Essex Business Rates Pool since 2015/16. For the three years, 2015/16 to 2017/18, the Council had received a total of £1.515million from the Essex Pooling arrangements. Fifteen authorities were participating in the Essex Pool for 2018/19. Whilst final shares for 2018/19 would not be determined until early October 2019 it was anticipated that the Council could receive approximately £560,000.

The Council agreed to participate in an Essex bid to be a pilot of 75% Business Rate Retention for 2019/20. If the bid was successful this Council could receive an allocation of £86,000 plus access to a share of £4.26million allocated to the three North Essex Councils, of Braintree, Colchester and Tendring. This was in addition to the amount that would be received under a ‘no worse off’ arrangement if an Essex Business Rate Pool was in operation. For this Council the estimated amount receivable from a share of an Essex Business Rate Pool, consisting of the fifteen authorities, was £646,000. If the Essex bid was unsuccessful the fifteen participating authorities had requested that an Essex Pool be approved for 2019/20.

The Business Rates Retention scheme had been in operation in its current form since April 2013. Under the scheme the Government calculated a baseline amount of business rates which it allows local authorities to retain as part of the Government’s funding for local government. The Council’s provisional baseline figure for 2019/20 was £3,428,553 as provided in the updated four-year settlement.

It was proposed that the existing Local Council Tax Support Scheme should remain unchanged for a third year. On the basis of there being no changes there was therefore no requirement for consultation.

The budget setting process included estimating the amount of council tax expected to be collected. Variation from the estimate results in either a surplus or deficit on the Collection Fund which must be either returned to or requested from council taxpayers in the following year. The surplus or deficit is allocated between the four major preceptors: Essex County Council, Braintree District Council and Essex Police, Fire and Crime Commissioner for Policing & Community Safety and for Fire and Rescue Authority. It was estimated that the balance on the Collection Fund available for distribution was a surplus of £888,833. The Council’s proportion of the council tax

surplus, to be returned to council taxpayers in 2019/20 is £113,625. It was proposed that £21,040 of this surplus was allocated To Town and Parish Councils in 2019/20.

In anticipation of the referendum limit being confirmed by the Government at the current level it was proposed that the council tax increase for 2019/20 be £5.22 (at Band D). This was considered necessary to help address the anticipated budget shortfalls over the medium-term and due to the uncertainty over future changes to Local Government funding. The increases in the level of council tax provided in the Finance Profile for 2019/20 to 2022/23 for planning purposes were:

- 2019/20 – 2.99% providing a Band D level of £179.73;
- 2020/21 – 1.95% providing a Band D level of £183.24;
- 2021/22 – 1.96% providing a Band D level of £186.84;
- 2022/23 – 1.97% providing a Band D level of £190.53.

The updated financial profile 2019/20 to 2022/23 shows for:

- 2019/20 – addition to Balances of £45,098;
- 2020/21* – shortfall of £507,618;
- 2021/22* – addition to balances £10,459; and
- 2022/23* – shortfall of £230,447.

A review of the earmarked reserves had identified that two reserves had not been used and after consideration of future need it was proposed that the balances were transferred back to the General Fund unallocated balance. The two reserves were:

- Business Investment Fund created in 2015/16 with £500,000. To provide financial loan support for District businesses who needed assistance in growing their business.
- Community Infrastructure Levy created in 2014/15 with £100,000. This was to engage consultants in order to prepare a Community Infrastructure Levy.

The MHCLG has indicated it would change the scheme baseline for the New Homes Bonus from 0.4% for 2019/20. The number of dwellings in the District, expressed as Band D equivalent, as at October 2018 was 60,943. This represents an increase of 389 or 0.64% since October 2017. Whether the Council would receive an allocation for year 9 of the scheme would depend on the change to the baseline and this was expected to be included with the Funding Settlement Assessment on 6th December 2018.

DECISION: That **Cabinet recommends to Council:**

- a) A total of £21,040 of the surplus on the Council Tax Collection Fund be allocated to parish/town councils as detailed in Appendix A to this report;
- b) The requested increases, of £231,560, to the staffing and income budgets for Development Management for 2019/20 be agreed to enable the recruitment process to commence in advance of the start of the year (sections 8.2, 9.3 and 9.4 of the attached report refer); and
- c) The balances on the two earmarked reserves (Business Investment Fund and Community Infrastructure Levy), totalling £600,000, be transferred back the General Fund unallocated balance;

Cabinet to agree that:

- d) No changes are proposed to the Local Council Tax Support Scheme for 2019/20 and consequently there is no requirement for consultation to be undertaken; and
- e) The Revenue Budget and Capital Programme for 2019/20, 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.

43 **SECOND QUARTER PERFORMANCE MANAGEMENT REPORT 2018-19**

INFORMATION: Consideration was given to a report that summarised the performance of the Council at the end of the second quarter (July 2018 to September 2018).

Members were informed that a total of thirteen projects had been completed and a further 46 projects were on track and performing well, whilst six projects had experienced delays which resulted in the end dates being deferred and one project had been closed due to a change in the scope of the project for which a new project was required.

It was reported that nine performance indicators had achieved or exceeded target, two had missed target by less than 5% and four had missed target by more than 5%. The performance indicators that had missed target by less than 5% related to the Collection rates for Council Tax and Business Rates. Both targets had been marginally missed and it was expected that the shortfall would be made and targets achieved by the end of the year. The performance indicators that had missed target by more than 5% were in relation to the tonnage of residual household waste not recycled, the percentage of waste recycled, call answering times in the Customer Service Centre and the time taken to process housing benefit claim changes.

With regard to financial performance, an overall positive variance for the year of £127,000 (-0.9%) was projected against the budget. Across all services staffing budgets were forecast to be underspent by £294,000 and after allowing for the corporate efficiency target of £200,000, results in a projected variance of -£94,000. Other expenditure was projected to be overspent by £382,000 and income was projected to be overachieved by £415,000. The projected variance for the year had improved from the position reported at Q1 which forecast an overall adverse variance of £87,000. This change was mainly due to higher estimated income (+£311,000), partially offset by a net change in the projected variances for Staffing and Other Expenditure (+£97,000).

DECISION: That the report be noted and endorsed.

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

44 **STRATEGIC RISK MANAGEMENT**

INFORMATION: Consideration was given to a report which provided Members with an updated Strategic Risk Register for the Council. The Strategic Risk Register, agreed by the Cabinet on 12th March 2018, was reviewed by Members at the Member Development evening on 25th October 2018 and the outcome was an updated draft register for approval by Cabinet.

DECISION: That Members agreed the updated Strategic Risk Register and the Action Plans, for managing the high rated risks, as detailed in Appendix B of 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.

45 **RECOMMENDATION FROM GOVERNANCE COMMITTEE – 24TH OCTOBER 2018 – TREASURY MANAGEMENT MID-YEAR REPORT 2018-19**

INFORMATION: Members considered a recommendation from Governance Committee held on 24th October 2018 in respect of the Treasury Management Mid-Year Report 2018-19.

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 (CIPFA). One of the key elements of the Code was that, along with an annual strategy to be approved prior to the commencement of the financial year and an annual report after the financial year-end, the Council should also receive at least one mid-year report on its treasury management activities.

Cabinet Members were asked to accept the Mid-Year Report, prior to being considered by Full Council.

DECISION: That Cabinet accepted the Treasury Management Mid-Year Report 2018/19, prior to its submission to Full Council

REASON FOR DECISION: The Council had adopted the CIPFA Code of Practice for Treasury Management in Public Services, which required that the Council received an annual report on the treasury management function. This report was to be considered first by the Governance Committee in order to exercise its responsibility for scrutiny over treasury management activities. The report will then be considered by Cabinet before submission to Full Council with the benefit of any proposed changes and/or comments of the Governance Committee.

46 **BUSINESS SUPPORT AND ENGAGEMENT STRATEGIC PLAN 2019-2022**

INFORMATION: It was reported that the landscape of the business community within the District was one that was continually evolving. With increasing challenges in a political and economic environment, a strategic approach was required to maximise the benefits of doing business in the Braintree District. It was recognised that the Council should not only build on the strong competitive advantages the District's location had to offer, but by also building on the existing and future opportunities locally and nationally.

The Business Support and Engagement Strategic Plan provided the background to the key priorities across the next three years, exploring the reportable outcomes and how they would be achieved. The five key priorities to be delivered within this strategy were:

- Business Engagement
- Business Support
- Infrastructure and Connectivity
- Strategic Partnerships
- Business Intelligence

To deliver the key priorities of the three-year strategy, an annual plan which defined the actions against each priority would be reported on through performance indicators within the quarterly business intelligence dashboard.

DECISION: That Members agreed the Business Support and Engagement Strategic Plan 2019-2022.

PURPOSE OF DECISION: To agree the key priorities and targets of the Business Support and Engagement Strategic Plan that will allow the Council to engage with the business community within the district and provide appropriate support to achieve the corporate Economic Development vision of 'A prosperous district that attracts business growth and provides high quality employment opportunities'.

47 **CIVIL PENALTY CHARGING POLICY**

INFORMATION: Consideration was given to a report that proposed new policy for Civil Penalty Charges.

Members were advised that the Housing Act 2004 was amended by the Housing and Planning Act 2016 to allow local housing authorities to impose a civil penalty as an alternative to prosecution for certain housing offences. The legislation now allowed the Council to consider whether to prosecute or serve a civil penalty and where the decision was to serve a civil penalty the Council must consider factors which would determine the level of civil penalty. The maximum penalty was set at £30,000 for each relevant offence and the new policy set out the process and factors which must be considered in determining the level of penalty.

It was also reported that there was an appeal process through the Residential Property Tribunal and scope to recover costs through the civil Courts if the recipient failed to pay the civil penalty.

DECISION: That Members approved the new policy for Civil Penalty Charging.

PURPOSE OF DECISION: To ensure the Council has a robust policy in place to enable civil penalty notices to be served as an alternative to prosecution.

48 ****PROPOSED DEVELOPMENT OF NEW HEALTHCARE FACILITIES ON THE PREMDOR SITE IN SIBLE HEDINGHAM**

Minutes Published: 3 rd December 2018 Call-in Expires: 11 th December 2018

INFORMATION: Members were reminded that this Item was linked to Item 12a 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 12a 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.

INFORMATION: The Leader invited Councillor Johnson to join the table to make a statement on this item as the local Member.

Members were advised by the Portfolio Holder that the Council's District Investment Strategy recognised the need for the Council to provide investment in infrastructure improvements to support growth across the District and provide a return for the Council. Improved healthcare provision had been identified as a key priority area, both to support growth and replace outdated, unfit-for-purpose existing provision.

Working in partnership with NHS England, the Council had identified an opportunity to deliver a new healthcare facility on the Premdor site in Sible Hedingham and create a valuable property investment for its commercial portfolio. The existing doctors' surgeries in Sible Hedingham and Castle Hedingham did not meet modern standards and did not allow a wider range of healthcare services to be delivered. The NHS was therefore looking at the opportunity to jointly relocate these surgeries into a modern scheme on the Premdor site.

In July 2018, Cabinet approved £80,000 of unallocated New Homes Bonus to enable a fully costed design to be undertaken. Furthermore, the scheme featured in the NHS's Sustainability Transformation Plan and the NHS had signed off a Project Initiation Document to enable this project to move forward.

It was reported that the required ground level and uncontaminated clean land would be transferred to the Council at nil cost as part of the Section 106 Agreement obligations connected with Bloor Homes' Premdor development.

A high-level financial appraisal had been carried out which indicated that the development scheme should provide a return within the Council's acceptable investment parameters and provide a small annual surplus to support the General Fund.

DECISION (PUBLIC REPORT): That Cabinet approved:

1. The principle of the proposed development as set out in the report, and approval for the implementation of the proposed development.

2. The following delegations to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management to:
 - a) Approve the project key decision gateways outlined in the report.
 - b) Approve the submission of a full planning application, provided that the terms set out in the report are met;
 - c) Approve the commencement of a tender process for construction contracts subject to the planning application being submitted and validated by the planning authority;
 - d) Approve the Agreement for Lease relating to building, land, access and the management of third party interests within the budget for the project and within the agreed gateways;
 - e) Approve entering into an appropriate build contract with the Council's selected contractor, provided the terms set out in the report are met;
 - f) Approve entering into necessary service contracts for ongoing maintenance and management of the site within the budget for the project.

3. The proposal for Braintree District Council to fund and deliver the Healthcare Centre together with a recommendation to Council to approve an overall capital budget towards the project scheme for all professional, construction and associated scheme development costs.

4. Delegation to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management, to approve revised scheme costs with the ability to vary costs based on a 5.00% variation to the total scheme costs.

That **Cabinet recommends to Council:**

5. That Council notes the principles of the decisions of Cabinet and approves an overall capital budget towards the project scheme for all professional, construction and associated scheme development costs, and including an allowance for up to 5% cost variation.

6. That Council notes that funding of the project costs (excluding the amount already approved from unallocated New Homes Bonus) is currently proposed to be from prudential borrowing, subject to the Corporate Director (Finance) reviewing the overall financing of the capital programme taking account of the potential availability of the capital balances over the period of the Medium-Term Financial Strategy.

PURPOSE OF DECISION: To enable the Council to facilitate the provision of much needed modern, fit-for-purpose healthcare facilities in Sible Hedingham.

DECISION (PRIVATE REPORT): That Cabinet approved:

1. The principle of the proposed development as set out in the report, and approval for the implementation of the proposed development.

2. The following delegations to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management to:

- a) Approve the project key decision gateways outlined in the report.
 - b) Approve the submission of a full planning application, provided that the terms set out in the report are met;
 - c) Approve the commencement of a tender process for construction contracts subject to the planning application being submitted and validated by the planning authority;
 - d) Approve the Agreement for Lease relating to building, land, access and the management of third party interests within the budget for the project and within the agreed gateways;
 - e) Approve entering into an appropriate build contract with the Council's selected contractor, provided the terms set out in the report are met;
 - f) Approve entering into necessary service contracts for ongoing maintenance and management of the site within the budget for the project.
3. The proposal for Braintree District Council to fund and deliver the Healthcare Centre together with a recommendation to Council to approve an overall capital budget, as set out in the report, towards the project scheme for all professional, construction and associated scheme development costs.
 4. Delegation to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management, to approve revised scheme costs with the ability to vary costs based on a 5.00% variation to the total scheme costs, as set out in the report.

That **Cabinet recommends to Council:**

1. That Council notes the principles of the decisions of Cabinet and approves an overall capital budget, as set out in the report, towards the project scheme for all professional, construction and associated scheme development costs, and including an allowance for up to 5% cost variation.
2. That Council notes that funding of the project costs (excluding the amount already approved from unallocated New Homes Bonus) is currently proposed to be from prudential borrowing, subject to the Corporate Director (Finance) reviewing the overall financing of the capital programme taking account of the potential availability of the capital balances over the period of the Medium-Term Financial Strategy.

PURPOSE OF DECISION: To enable the Council to facilitate the provision of much needed modern, fit-for-purpose healthcare facilities in Sible Hedingham.

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

DECISION: That the delegated decision set out in the report be noted

PURPOSE OF DECISION: The reasons for the decision can be found in the individual delegated decision.

The meeting commenced at 7.15pm and closed at 9:04pm.

COUNCILLOR G BUTLAND
(Leader of the Council)