

Council AGENDA



THIS MEETING IS OPEN TO THE PUBLIC

(Please note this meeting will be webcast and audio recorded)

<http://www.braintree.gov.uk>

Date: Monday, 16 December 2013

Time: 19:15

Venue: Council Chamber, Causeway House, Bocking End, Braintree, Essex, CM7 9HB

Membership:

Councillor J E Abbott	Councillor M E Galione	Councillor Ricci
Councillor J S Allen	Councillor C Gibson	Councillor D E A Rice
Councillor M J Banthorpe	Councillor M Green	Councillor W J Rose
Councillor P R Barlow	Councillor P Horner	Councillor V Santomauro
Councillor J Baugh	Councillor S A Howell	Councillor W D Scattergood
Councillor J C Beavis	Councillor H D Johnson	Councillor W Schmitt
Councillor D L Bebb	Councillor S C Kirby	Councillor A F Shelton
Councillor E Bishop	Councillor M C M Lager	Councillor L Shepherd
Councillor R J Bolton	Councillor C Louis	Councillor C E Shute
Councillor L B Bowers–Flint	Councillor D J Louis	Councillor C Siddall
Councillor G Butland	Councillor D Mann	Councillor G A Spray
Councillor C A Cadman	Councillor J T McKee	Councillor J S Sutton
Councillor S Canning	Councillor R G S Mitchell	Councillor J R Swift
Councillor T G Cunningham	Councillor J M Money	Councillor P Tattersley
Councillor J G J Elliott	Councillor Lady P Newton	Councillor C M Thompson
Councillor Dr R L Evans	Councillor J O'Reilly-Cicconi	Councillor M Thorogood
Councillor A V E Everard	Councillor I C F Parker	Councillor L S Walters
Councillor J H G Finbow	Councillor J A Pell	Councillor R G Walters
Councillor M J Fincken	Councillor R P Ramage	Councillor S A Wilson
Councillor T J W Foster	Councillor D M Reid	Councillor B Wright

Members of the Council are requested to attend this meeting to transact the business set out in the Agenda.

N BEACH
Chief Executive

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact Chloe Glock in the Council's Member Services Section on 01376 552525 or email chloe.glock@braintree.gov.uk at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

Health and Safety. Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

Mobile Phones. Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

Documents. Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at <http://www.braintree.gov.uk>

We welcome comments from members of the public to make our services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information:

Meeting AttendedDate of Meeting.....

Comments.....

.....

.....

.....

Contact details.....

Members unable to attend the meeting are requested to forward their apologies for absence to Alastair Peace on 01376 552525 or email alastair.peace@braintree.gov.uk

INFORMATION FOR MEMBERS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest:-

Any member with a Disclosable Pecuniary Interest or other Pecuniary Interest to indicate in accordance with the Code of Conduct. Such Member must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

PUBLIC SESSION

Page

1 Apologies for Absence.

2 To receive any announcements/statements from the Chairman and/or Leader of the Council.

3 Declarations of Interest.

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

4 Public Question Time. (See page 2).

5 Minutes of Last Meeting

To approve as a correct record the minutes of the meeting of the Council held on 14th October 2013 (copy previously circulated).

6 Policy Recommendations and References

6a Recommendation from Cabinet, 9th December 2013 - Solar Panels Programme 7 - 20

6b Recommendation from Cabinet, 9th December 2013 - Medium-Term Financial Strategy 2013-14 to 2017-18 21 - 22

6c Recommendation from Cabinet, 9th December 2013 - Purchase of Eckard House Site, Witham 23 - 32

7 Reports from the Leader and Cabinet Members.

To receive the following reports from each Portfolio Holder and to ask questions on matters contained in the reports:

7a Councillor Butland, Leader of the Council 33 - 36

7b Councillor Beavis, People and Participation 37 - 40

7c Councillor Bebb, Performance and Efficiency 41 - 42

7d	Councillor Lady Newton, Planning and Property	43 - 46
7e	Councillor Schmitt, Place	47 - 50
7f	Councillor Siddall, Prosperity and Growth	51 - 52
8	Oral Questions from Councillors - Public Session	
	Oral questions without notice on matters related to a particular portfolio, the powers or duties of the Council or the district. (Procedure Rules 7.1 to 7.3 apply). Where a verbal response cannot be given, a written response will be issued to all members.	
9	List of Public Meetings Held Since Last Council Meeting	53 - 54
	To raise any matters arising from the Minutes of meetings that have been held in Public Session since the Council meeting of 14th October 2013.	
10	Chairmen's Statements - Public Session	
	To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 7.9 and to respond to questions on such statements. None have been received.	
11	Statements by Members - Public Session	
	To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 7.6. None have been received.	
12	External Organisations	
	To receive reports and ask questions on the business of external organisations. There are none.	
13	Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -	
	That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.	

PRIVATE SESSION

14 Leader's or Cabinet Member Statements - Private Session

Leader's Statement or statements by Cabinet Members containing exempt information on a key issue.

15 Policy Recommendations and References - Private Session

15a Recommendation from Cabinet, 9th December 2013 - Purchase of Eckard House Site, Witham

Report provided separately.

16 Reports from the Leader or Cabinet Members - Private Session

To receive any reports from the Leader of the Council and each Portfolio Holder containing exempt information and to ask questions on matters contained in the reports. **There are none.**

17 Oral Questions from Councillors - Private Session

Oral questions without notice on matters related to a particular portfolio, the powers or duties of the Council or the district containing exempt information. (Procedure Rules 7.1 to 7.3 apply). Where a verbal response cannot be given, a written response will be issued to all members.

18 Private Meetings Held Since the Last Council Meeting

To raise any matters arising from the Minutes of meetings that have been held in Private Session since the Council meeting of 14th October 2013.

19 Chairmen's Statements - Private Session.

To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 7.9 and to respond to questions on such statements - **None have been received.**

20 Statements by Members - Private Session

To receive any statements by Members of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 7.6. - **None have been received.**

COUNCIL
16th December 2013



**RECOMMENDATIONS FROM CABINET –
9TH DECEMBER 2013**

Agenda No: 6a

SOLAR PANELS PROGRAMME

Presented by: Councillor Mitchell, Deputy Cabinet Member, Place
Councillor Bebb, Cabinet member, Performance and
Efficiency

Background Papers:

Public Report

Report:

Cabinet has yet to consider the matter. Its recommendation will be reported to Council.

If Cabinet recommends this item then the resolution sought is:

That Council approves capital funding of £430,000 for the installation of solar panels at Halstead Leisure Centre and Braintree Swimming Centre.

If Cabinet does not recommend this item then Council is asked to note that decision.

CABINET
16th December 2013

To consider the business case for investment in solar panels at Halstead Leisure Centre and Braintree Swimming Centre	Agenda No:
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Corporate Priority:	Protecting our Environment & Providing Value for Money
Portfolio Area:	Place Performance & Efficiency
Report presented by:	Councillor Robert Mitchell & Councillor David Bebb
Report prepared by:	Mark Wilson, Sustainability Manager & Trevor Wilson Head of Finance

Background Papers: Appendix 1 Business case Image 1 Example of solar panels on Braintree Swim Centre & Halstead Leisure Centre	Public Report: Yes
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Options: 1. To approve or not the allocation of funding and the source of funding, for the installation and maintenance of solar panels at one or both, sites; 2. To approve or not to commence the process of procurement and installation.	Key Decision: Yes
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Executive Summary:

This report and supporting business case set out the proposal for the Council to invest in the installation of solar panels on Braintree Swimming Centre and Halstead Leisure Centre roof space. The drivers for the projects are: income generation, energy saving (addressing the UK energy shortfall), carbon reduction, progressing the Council's leadership role in the green agenda and limiting the impact of climate change.

This investment opportunity builds on the success of our 24kW solar panel array installed at Causeway House in 2012, which is now generating both income and saving electricity and carbon emissions. In the first year of operation the panels at Causeway House generated over 21,000kWh of green electricity, saving 9.5 tonnes carbon during the wettest year on record. This is enough electricity to run 5 average UK households. The panels produced an external income/electricity saving of £9,709 for the Council in the first year of a 25 year FiT contract (predicted payback of 7 years).

The two sites have been brought forward for the following reasons: The price of solar panels has reduced substantially whilst the Feed in Tariff (FiT) rates for commercial roof mounted schemes have stabilised (11.1p/kWh). Both sites have substantial roof spaces and it would be more cost effective to try and include this work whilst the improvement works were taking place. And lastly our leisure partner Fusion is committed to making environmental improvements.

Desk top studies have confirmed that both leisure sites will offer substantial space for solar photovoltaic arrays, 170kW at Halstead and 142kW at Braintree Swimming Centre. The approximate total cost will be £430,000 (£230,000 for Halstead and £199,000 for Braintree). This would generate an estimated annual return in year one at Halstead of £34,000 and at Braintree £29,000, this income is set to increase annually for the next 20 years. The estimated payback on this investment will be 6 to 7 years. In addition, any "green electricity" produced from the two sites will offset carbon emissions by 164 tonnes per year.

The costs of financing the project, by internal borrowing repayable over a 20 year period, would be approximately £13,350 for Halstead and £11,850 for Braintree which would provide net annual revenue returns of £20,650 and £17,150 respectively.

The income from each site would comprise of 3 parts: Feed-in tariff income, Export tariff income and sale of electricity generated on site to Fusion. A written agreement in principle from Fusion for the purchase of the solar panel electricity has been obtained; they will be charged a tariff set at a small percentage rate below the market rate for electricity. This tariff will be reviewed annually as the market rate for electricity is never static.

Braintree Swimming Centre refurbishment is due for completion April 2014. The solar panel installation is dependent on the structural works taking place first. Installation of the solar panels and associated works will commence once the new roof extension is available with a predicted commissioning date 4 weeks after the extension works are completed. The solar panel installation at Halstead Leisure Centre is not constrained by other refurbishment works which are all internal and therefore once the necessary approvals are secured an anticipated commissioning date will be May 2014.

In addition to the capital cost there are costs associated with maintenance of the solar panels, the Council has a choice to either pay c.£1,000 per site per annum for panel maintenance and servicing, or consider an annual performance guarantee (example costings of £2,680 annually for Braintree Swimming Centre and £3,260 for Halstead Leisure Centre). The guarantee covers maintenance and servicing but additionally warrants that the panels will operate at least 90% of their predicted performance for the 20 years. Until the Council has completed procurement on the project it is advised that we wait and determine the most suitable and cost effective maintenance package.

The proposed development at both sites is defined as a commercial solar panel installation and their design (less than 1m in height above roof, and more than 1m away from roof edge) is within the parameters of permitted development under the Planning Act's General Permitted Development Order. Therefore planning permission is not required, however for record purposes an exchange of letter will be made to the Local Planning Authority.

The Council has written support from both Realm (Freeport management company) and Ramsey Academy (owners of Halstead Leisure Centre land/operators of school) for the proposed project as in the case of both sites the Council will require "landlord licences" should the projects go ahead.

This project will give a very clear message and direction of travel for both the Council and Fusion in respect of their green agenda. Full details concerning this proposal are contained in the Business Case attached at Appendix 1.

Decision:

1. To Recommend to Council the approval of capital funding of £430,000 for the installation of solar panels at Halstead Leisure Centre and Braintree Swimming Centre.
2. To agree to delegate to the Corporate Director the authority to sign off the type of maintenance contract of solar panels as part of the tender process.

Purpose of Decision:

1. To produce green energy and reduce carbon emissions;
2. To invest capital for a revenue return for a period of 20 years.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	<p>The capital cost of the installation of solar panels at the two sites is estimated to be £430,000.</p> <p>Revenue income generated from the two sites is estimated to be £63,000. As a revenue generating project it is proposed that internal borrowing charges are made - this will ensure the preservation of scarce capital resources for other non-income generating projects.</p> <p>The estimated net income after financing costs is £37,800. A decision on maintenance arrangements will be taken as part of the tender process.</p> <p>The estimated annual income represents a return of 8.8% and compares to an estimated rate of interest earned on investment of surplus monies of 0.7%.</p>
Legal:	<p>If approved we will need to establish a licence of alteration with Freeport owners and ECC and amend the existing contract to enable the sale of electricity with Fusion.</p> <p>The proposed solar panel installations at both Freeport and Halstead will be designed to qualify as Permitted Development under the General Permitted Development Order. Planning Permission is therefore not required.</p>
Equalities/Diversity	No impact on the day-to-day running of Braintree Swimming Centre or Halstead Leisure Centre.
Customer Impact:	No impact on the day-to-day running of Braintree Swimming Centre or Halstead Leisure Centre.
Environment and Climate Change:	This will contribute towards carbon reduction for both the Council and Fusion, it will also contribute to local energy generation, avoidance of fossil fuel use and reducing contribution to climate change.
Consultation/Community Engagement:	<p>To deliver this project the Council must seek the approval of Realm (on behalf of the owners of Freeport) for installing the panels at Braintree Swimming Centre; approval must also be sought from ECC/Ramsey Academy to install the solar panels at Halstead Leisure Centre.</p> <p>The Council must apply to the DNO (Distribution Network Operator) to add electricity to the grid at both sites.</p> <p>Fusion, the Council's leisure partner, will be fully involved at all stages of the installation of the solar panel installation at both sites.</p>

Risks:	<ul style="list-style-type: none"> • Issues with freeholders - mitigate by engaging with all interested partners at all stages, flexibility in amending scheme design; • Refusal by Distribution Network Operator regarding grid capacity - mitigate by reducing size of installation; • Electricity prices fall - unable to mitigate against this, extremely unlikely in short and mid-term electricity market forecasting; • Performance risk of panels - mitigate through panel warranty on their operation, option to take out performance guarantee; • Government reneges on FiT contract - mitigate by legal challenge. Currently there are over 500,000 FiT contracts in place with businesses and homeowners; • Transfer/sale of leisure centres - mitigate by building loss of income into transfer/sale; relocate panels to another site; • Rebuild of leisure centre - temporarily relocate panels to another site, reinstall on new build leisure centre.
Officer Contact:	Mark Wilson
Designation:	Sustainability Manager
Ext. No.	2325
E-mail:	mark.wilson@braintree.gov.uk



Business Case

(Solar Savings) (21st November 2013)

Completed by: Mark Wilson	Document version: v.3
Background	
<p><i>A brief description of the project.</i></p> <p>This business case is a proposal for the installation of solar panels utilising roof space owned by Braintree District Council. The council has a number of buildings with roofs that offer a southerly elevation, ideal for the installation of solar panels. The proposal builds on the success of the 24kW solar array installed at Causeway House in 2012 which has been generating income and saving electricity and carbon emissions.</p> <p>The Council's leisure centres have substantial roof spaces and the Council's leisure partner Fusion is committed to making environmental improvements. Two sites: Braintree Swimming Centre and Halstead Leisure Centre have been identified for consideration of capital investment for a revenue return.</p> <p><i>What are the drivers for the project?</i></p> <ul style="list-style-type: none">• Income generation;• Energy saving, addressing UK energy shortfall;• Community leadership role in green agenda;• Carbon reduction;• Limiting impact of climate change. <p><i>What will the project achieve? (benefits, expected outcomes)</i></p> <ul style="list-style-type: none">• Both sites offer an estimated annual revenue income generation of £63k, before financing costs. The payback period is 6 to 7 years. The estimated annual revenue generation is £37.8k after meeting the financing charges• Reduces burden on council tax payers, offsets council tax increase;• Both sites combined offer a predicted 164 tonnes carbon saved per year that would otherwise come from the national grid;• Green credibility for BDC and Fusion;• Contribution to local energy generation and UK energy security addressing national energy shortfalls.	

Options appraisal – has an options appraisal been carried out, and if so what are the recommendations?

The Council originally identified 37 potential sites in late 2011 for the installation of solar panels. The Council subsequently established that some of the buildings were not suitable due to structural reasons or orientation. The project was put on hold following the changes to the Government Feed in Tariff and solar panel market. Since then the Council has sold or transferred many properties within its estate. The Council has been left with a handful of buildings comprising leisure centres, industrial units and retained community halls.

The two leisure centre sites Braintree Swimming Centre and Halstead Leisure centre have been brought forward as there is opportunity to combine the improvement works to the leisure centres with the installation of solar panels.

Both leisure sites offer substantial solar arrays, 170kW at Halstead and 142kW at Braintree.

Developing green energy opportunities at these sites tie in with the role of the Council's partner Fusion who is committed to reducing energy consumption and delivering actions to support the green agenda.

How will this project relate to our corporate objectives?

The climate change and carbon reduction agenda, and provides a valuable source of income

Timescales

What is the suggested overall timescale for the project?

It is intended that the solar panels at Braintree Swimming Centre will be installed at a time to tie in with the gym development which has a current timescale for completion of April 2014. The solar panels would follow on seamlessly from the redevelopment making a single refurbishment project with a commissioning date of May 2014.

The solar panel installation at Halstead Leisure Centre is not constrained by other refurbishment works which are all internal and therefore assuming the necessary approvals are secured an anticipated commissioning date will be May 2014.

A Project Initiation Document to be produced following Cabinet decision detailing the areas below.

Consultation

Braintree Swimming Centre: Approval must be sought from the freehold owners at Freeport.

Halstead Leisure Centre: Approval must be sought from Essex County Council as freeholders of the site. Again, this will be in the form of completion of a landlord licence for alterations. The Council has received written support from the Academy for the installation of solar panels on the leisure buildings.

An application will need to be submitted to the DNO (UK Power Network), to ensure that sufficient grid capacity is available. This will be tasked to the solar panel installer to apply for approval. Normally this is simply a formality, especially in urban areas where the grid infrastructure is designed for high transmission.

Design

To be produced following site inspection of electrical system and roof infrastructure.

Planning Approval

No planning permission is required. This project is defined as a commercial solar panel installation and within the parameters of permitted development under the Planning Act's General Permitted Development Order.

Tender

The tender process will commence following agreement of the funding for the project.

Build/Completion

Braintree Swimming Centre – installation to commence immediately following gym refurbishment works.

When will the benefits of the project be realised

As soon as the solar panel system goes live. The first claim for FiT and Export tariff will be 3 months from installation and then every 3 months from then on. It is also proposed that Fusion is recharged on this schedule. The FiT income is RPI linked and the FiT contract will apply for 20 years until 2034.

Resource implications

Capital funding required for this project:

		£
A	Capital cost	430,000
	<u>Less external contributions:</u>	
B	Government grants	
C	S106 Developer contributions	
D	Other external contributions	
A-B-C-D	BDC capital resource required	430,000

A financial profile of any approved projects will be required at a later date for capital budget monitoring

State the source of other external capital contributions and whether any conditions apply to the funding?

N/A

*Is there any one-off **additional** revenue costs associated with this project? (e.g. promotion, staff training etc)* None.

*Is there any **additional** on-going annual revenue costs associated with this project? (e.g. running costs, servicing and maintenance etc)*

An allowance of £1,000 per site per annum is required for panel maintenance and servicing. This expenditure has been included within the financial costings (appendix 1). Alternatively Members may wish to consider an annual performance guarantee which could be purchased at £2,680 for Braintree Swimming Centre and £3,260 for Halstead Leisure Centre. The guarantee covers maintenance and servicing but additionally warrants that the panels will operate at least 90% of their predicted performance. Until the Council has completed procurement on the project it is advised that the Council wait and determine the most suitable and cost effective maintenance package interested firms will provide.

Every ten years the inverter needs to be replaced at a total cost for both sites of £37k at 2013/14 prices. Provision for this expenditure has been included within the financial costings.

Business rates do not apply to commercial solar panels if the intention is for the electricity is to be used on site.

Does the project generate any cost savings or additional income?

Yes it is estimated that the two sites will generate £63k income per annum before capital financing costs (internal borrowing repayable over 20 year period). The net income after internal borrowing costs is £37.8k.

In years 10 and 20 the return is less due to the requirement to replace the inverters. After 20 years the feed in tariff income ends but a further smaller income stream is possible beyond that from sale of electricity.

Will the project require any support from other internal services either to implement or maintain?

Yes, this will be delivered by the Sustainability Team as part of business plan activities. The solar panel installation will be carried out in parallel with gym improvement works; the on-site leisure officer will oversee works.

Longer term administrative role for Sustainability team collating and submitting quarterly claims for FiT income, Export tariff income and recharge from Fusion for green electricity generated.

Risks

- *Barriers to achieving proposed change*
 - Issues with freeholders;
 - Refusal by Distribution Network Operator regarding grid capacity;
 - Electricity prices fall;
 - Performance risk of panels;

- Government reneges on FiT contract;
- Transfer/sale of leisure centres;
- Rebuild of leisure centre;

- *Mitigation*

The above barriers or risks can be split into 3 categories: the Council's ability is to take the project forward or long term future of sites; external 3rd party permissions or requirements and finally issues with the scheme or electricity market.

The Council has funding options for this project and is keen to explore income generation opportunities. Should there be any change in the Council's position on leisure facilities in the future, the value of any ownership changes would reflect the improvements made to the building. The third parties have been approached and their support has been gained; the FiT scheme has been established since 2010 and the availability of supply in the electricity market means that electricity prices are extremely unlikely to fall in the foreseeable future.

- *Consequences if proposed change is not achieved*

Loss of income generation and carbon reduction opportunity.

- *Financial and operating performance*

There are a number of assumptions within the financial costings including the performance of the panels, the sales value of the electricity generated and operating costs. The estimated financial returns could be higher or lower than indicated and be subject to year on year variation. Experience from the solar panel installation at Causeway House has shown that in their first year of operation they exceeded the predicted financial returns.

The solar panel performance figures used for Braintree Swimming Centre and Halstead Leisure Centre are conservative to ensure that we meet the predicted annual returns stated in this report.

Consultation

Summary of the consultation process with Council Tax payers, residents, TUs, staff, other service areas, other key stakeholders; including views and outcomes)

- *What form will the consultation take, including who will be consulted, how and when?*

The proposal will go through the democratic process of seeking Cabinet approval.

- *Summary of views received during consultation and outcomes impacting on proposed project.*

N/A

Communications

How and when you will communicate with staff and stakeholders?

Stakeholders will be advised on commencement and completion of the install phase and then future updates on performance of solar panel system.

Recommendations	
<i>Proposed action to be taken?</i>	
1. To Recommend to Council the approval of the allocation of capital funding of £430,000 for the installation of solar panels at Halstead Leisure Centre and Braintree Swimming Centre or agree upon loan funding for the installation at one or both sites; 2. To agree to Delegation to the Corporate Director the authority to sign off the type of maintenance contract of solar panels.	
Document sign off	
Originator (Project Manager): Mark Wilson	Date:20/11/13
Authorised (Project Sponsor): Lee Crabb	Date:
Portfolio Holder: Cllr Robert Mitchell & Cllr David Bebb	Date:

Image 1.



Aerial views of Braintree Swimming Centre and Halstead Leisure Centre showing potential solar panel installation

COUNCIL
16th December 2013



**RECOMMENDATIONS FROM CABINET –
9TH DECEMBER 2013**

Agenda No: 6b

**MEDIUM-TERM FINANCIAL STRATEGY 2013/14 TO
2017/18**

Presented by: Councillor Bebb, Performance and Efficiency

Background Papers:

Public Report

Report

Cabinet has yet to consider the matter. Its recommendation will be reported to Council.

If Cabinet recommends this item then the resolution sought is:

- a. That Council agrees the Braintree District Council's Local Council Tax Support scheme for 2014/15 as detailed on the Council's website http://www.braintree.gov.uk/pcts_reductionsschemepolicy and
- b. The transfer of £250,000 from the unallocated balance to the earmarked reserve for redundancy and early retirement costs.

If Cabinet does not recommend this item then Council is asked to note that decision.

Note: Members are requested to bring their copy of the Medium-Term Financial Strategy 2013/14 to 2017/18 report issued to all Members either with the Agenda for the meeting of the Overview and Scrutiny Committee on 4th December or the Agenda for the meeting of Cabinet on 9th December.

COUNCIL
16th December 2013



**RECOMMENDATIONS FROM CABINET –
9TH DECEMBER 2013**

Agenda No: 6c

**PROPOSED PURCHASE OF ECKARD HOUSE SITE,
WITHAM**

Presented by: Councillor Lady Newton, Cabinet Member, Planning and Property
Councillor Bebb, Performance and Efficiency

Background Papers:

Public Report

Report

Cabinet has yet to consider the matter. Its recommendation will be reported to Council.

If Cabinet recommends this item then the resolution sought is:

That Council approves capital funding for the purchase of the Eckard House Site, Easton Road, Witham on the terms set out in the report in Private Session.

If Cabinet does not recommend this item then Council is asked to note that decision.

Proposed Purchase of Eckard House Site, Easton Road, Witham		Agenda No:
<p>Corporate Priority: Securing appropriate infrastructure and housing growth and providing value for money</p> <p>Portfolio Area: Prosperity; Planning and Property; Performance</p> <p>Report presented by: Cllr Lady Newton and Cllr David Bebb</p> <p>Report prepared by: Andrew Epsom</p>		
<p>Background Papers:</p> <ul style="list-style-type: none"> • Getting to the Station (Passenger Focus capacity study 2007) • Full Council Meeting Agenda 23/9/2013 • Pre Submission Site Allocations and Development Management Plan (LDF). 		Public Report
<p>Options:</p> <ol style="list-style-type: none"> 1) Approve the purchase of Eckard House site 2) Do not approve the purchase of Eckard House site 		Key Decision: Yes
<p>Executive Summary:</p> <p>Passenger Focus commissioned a station car park capacity report in 2007, which identified a shortage of commuter car parking in Witham. As a result, Planning Policy has now allocated this site in the Pre Submission Site Allocations and Development Management Plan as a car park which was approved at the Full Council meeting on the 23rd September 2013.</p> <p>The Council is proposing to purchase the site (as shown outlined in red on the plan at Appendix 1) which is currently vacant, for the purpose of converting it to a commuter car park. This site will provide approximately 60 space commuter car parking scheme constructed to current parking standards.</p> <p>Acquisition terms have now been agreed with the Vendor, the details of which will be made available to Members in the Private Session of this Committee meeting.</p>		
<p>Decision:</p> <ol style="list-style-type: none"> 1. That Cabinet approves the acquisition of the Eckhard House site in Witham on the terms as set out in the report in Private Session and delegates to the Cabinet Member for Planning and Property and the Corporate Director (Sustainable Development) to agree detailed terms and conditions and 		

2. That Cabinet recommends to Full Council to approve capital funding on the terms set out in the report in Private Session.

Purpose of Decision:

To enable the Council to facilitate additional commuter car parking in Witham.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	It is proposed that this project will be funded by internal borrowing charges. This will ensure the preservation of scarce capital resources for other non-income generating projects.
Legal:	The purchase of the Eckard House site is subject to Full Council approval and subject to contract. The Council's Legal Service will be instructed to act on the Council's behalf in respect of the exchange of contracts and completion of this purchase and ensure that the Council's interests are protected at all times.
Equalities/Diversity	Disabled car parking spaces will be provided within the scheme to enable increased accessibility to the Witham mainline train station for disabled users. Appropriate access routes and signage between the car park and station will also be provided. Recent improvements at the station include a footbridge with lift access to enable users of the car parking to the east of the station better accessibility.
Customer Impact:	The Witham mainline station is very popular with commuters with the Greater Anglia car park achieving a 95% occupancy rate. With further residential development coming forward at Maltings Lane and the allocation of the growth locations at Lodge Farm and North East Witham, together with on-going growth in the District, demand for commuter car parking from within Witham and the wider District will remain strong and continue to grow going forward.
Environment and Climate Change:	Encouraging commuters to utilise public rail transport will have a positive impact on climate change and the environment. Therefore, it is important to continue to support the provision of facilities such as commuter car parking to meet and encourage on-going use and demand for public transport.
Consultation/Community Engagement:	<p>The public and Members have been consulted in respect of the Pre Submission Site Allocations and Development Management Plan within which this site has now been allocated as a car park.</p> <p>The public and Members will be consulted further when a planning application is submitted for the development of this site as a car park.</p>
Risks:	See Risk matrix in the main body of the Report.
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1. **Background**

- 1.1 A study carried out in March 2007 “Getting to the Station - findings of research conducted at Witham” commissioned by Passenger Focus, as input into Network Rail’s Greater Anglia Route Utilisation Strategy (RUS) states, *‘Witham station car park has 430 spaces, and is estimated to be between 93% and 100% utilised on average... Witham has a number of other car parks, close to the station, which can be used by rail commuters including the Council run White Horse Lane (100 spaces) and the privately run Cut Throat Lane (354 spaces). Both tend to be full with commuter parking during the week... There is clearly a car parking issue at Witham, and this relates to people accessing the station from outside the town. For these people, if they are able to continue to use Witham, additional car parking is required. There are a number of options and the local authority appears broadly supportive’.*
- 1.2 At the LDF Sub Committee held on 30th May 2013, Members agreed to ‘allocate Eckard House, Easton Road as car parking’. It is estimated that this could provide approximately 60 car parking spaces for the station. There is also a proposal for a second road access into Witham Station car park from Station Road contained within policy ADM49 ‘New Road Schemes’ which was approved by the LDF Sub Committee on the 11th July 2013. Both these items are included in the Pre Submission Site Allocations and Development Management Plan which was approved by Council on the 23rd September 2013 and which will shortly be the subject of a further public engagement period before being submitted to the Planning Inspectorate for examination.
- 1.3 BDC has also commissioned Essex County Council Highways to look at the impacts of both these proposals in a report which was agreed by the LDF Sub Committee on the 6th November 2013. This report concluded that; *“an increase of 60 spaces in the capacity of the station car park is not expected to have a significant impact on traffic flows”.*
- 1.4 This project supports the Prosperity priority as set out in the Corporate Strategy 2012-16. This priority seeks to grow the district in ways that can be sustained for future generations and ensure that the district has sound transport infrastructure that meets the needs of the residents both now and into the future. Road and rail improvements are key elements within this corporate priority.
- 1.5 The Council is, therefore, proposing to purchase the Eckard House site to facilitate the provision of approximately 60 space commuter car park (including disabled and motor cycle parking) constructed to the current adopted Parking Standards. The site is currently vacant.
- 1.6 The site is currently on the market and following lengthy negotiations the Council has now agreed acquisition terms. The detailed acquisition terms are contained within the Private Session part of this report.

2. Timetable

- 2.1 Acquisition terms reported to Cabinet on the 9th December 2013.
- 2.2 Full Council approval on the 16th December 2013.
- 2.3 Exchange of Contracts by 31st December 2013.
- 2.4 Completion of purchase on 31st January 2014.
- 2.5 Submission of Planning Application – January 2014.
- 2.6 Grant of Planning Permission – May 2014.
- 2.7 Car park construction works completed by 31st October 2014.
- 2.8 Car park available for commuter car parking from November 2014.

3. Benefits

- 3.1 There is a strong demand for commuter car parking in Witham and this scheme will provide approximately 60 additional commuter car parking spaces.
- 3.2 This scheme will provide valuable revenue income to the Council at a return significantly higher than the returns currently realised on the Council's cash investment income. Additional revenue income will greatly support the delivery of Council services going forward.
- 3.3 The availability of commuter car parking will encourage and support greater use of public transport reducing road congestion and have a positive environmental impact.
- 3.4 This is a unique opportunity to acquire a site of this size and in such close proximity to Witham mainline train station for commuter car parking, which could otherwise be lost to an alternative use.

4. Risks

Item	Issue	Action
Drainage	Surface water drainage on this site has previously been dealt with by soakaways. There is currently no access to a surface water sewer without crossing third party land.	Detailed site investigation works including a soil survey will be undertaken prior to the exchange of contracts to confirm the surface water drainage arrangements for a car park. An appropriate solution needs to be achieved to meet relevant statutory requirements.

Access to and egress from the site via Easton Road	ECC Highways has been consulted regarding the proposed car park. Originally they indicated that they were not keen to support the car park scheme if access and egress was solely via Easton Road. However, a Traffic Impact Assessment carried out in August 2013 indicated that an increase of 60 spaces in the capacity of the station car park was not expected to have a significant impact on traffic flows. ECC Highways advised by email on the 5 th August 2013 that "subject to a detailed planning application being made, the Highways Authority does not object" (to Easton Road being used for access to and egress from the site).	If, for whatever reason, ECC Highways does not support access to and egress from the site via Easton Road during the planning process, the Council will continue to work with ECC and Greater Anglia to provide an additional access / exit route to / from Greater Anglia's car park via Station Road. This should help to mitigate any Highways issues. The Council could alternatively seek permission to use the site as a residential development site, which would have minimal impact on current traffic flow.
Strip of unregistered land between Easton Road and the Eckard House site	<p>ECC Highways has confirmed that the carriageway and footpath along Easton Road are adopted but they cannot confirm precisely where the adopted highway terminates at the entrance to the station car park.</p> <p>A small strip of land between the Eckard House site and Easton Road is unregistered.</p> <p>There is no specific right of way granted over this land for the benefit of the Eckard House title.</p> <p>It is not clear if this strip of land forms part of the adopted highway or is in the ownership of a third party.</p>	<p>The site previously contained an office building with car parking prior to demolition. Clearly, access was available to the site via Easton Road and across the strip of unregistered land for this use.</p> <p>If the site is used as a car park then this will require a change of use. This issue will be examined by the Council's Solicitor prior to exchange of contracts and should it remain a risk (in terms of a third party owner of the strip of land coming forward to negotiate the grant of access rights over this land for car parking purposes) then the Council would seek to put in place indemnity insurance.</p>

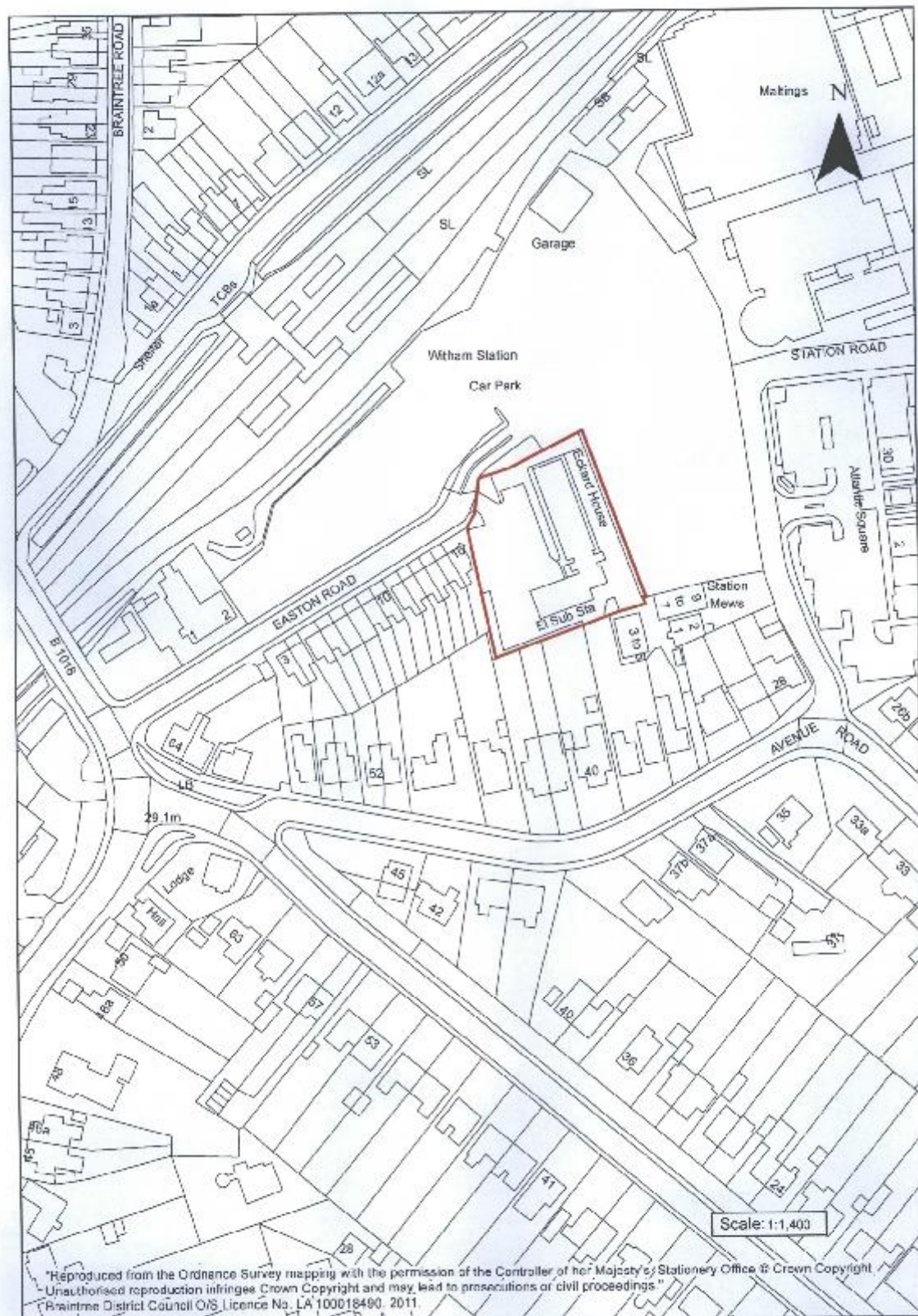
		If insurance cannot be obtained, the Council will need to assess the risk and if this is considered to be too great then the Council would withdraw from the transaction prior to the exchange of contracts.
Payment options for car park customers	It is important that BDC installs the right technology to make it easier for car park customers to pay. If the right payment methods are not available then this could impact on income.	The Head of Operations is currently carrying out a review of car parking in Witham. Payment options, including cashless car parking for customers, will be considered within this wider review.
Migration from Whitehorse Lane Car Park	Demand for the Whitehorse Lane car park may diminish if commuters find the Eckard House site more convenient.	Operations will need to review the tariff structure and payment options in order to keep this car park attractive, competitive and maximise income. In the worst case scenario, alternative uses, such as residential, could be considered for the Whitehorse Lane car park.
Planning Permission Refused	The Council is unable to obtain a planning consent to use the site for commuter car parking.	The Council's fall-back position would be to utilise the site for an alternative use.

5. **Funding**

- 5.1 As a revenue producing project it is proposed that internal borrowing charges are made. This will ensure the preservation of scarce capital resources for other non-income generating projects.

6. **Conclusions**

- 6.1 This opportunity provides many benefits to the Council, including supporting the delivery of key Corporate Priorities, realising valuable revenue income and enhancing facilities for residents in the district. The Council should, therefore, pursue this acquisition subject to contract and the completion of any outstanding due diligence.



LEADER'S REPORT TO COUNCIL

Agenda No: 7a

1. Joint Locality Board Meeting – 4 November 2013

The Joint Locality Board meeting was held at Causeway House. It was agreed that County Councillor Roger Walters would become the Chairman in place of County Councillor David Finch.

The following issues were considered. Agenda papers are available on the Members' Portal.

- Update on Secondary Education in the District
- District Health Profile
- Health & Wellbeing Panel
- Whole Essex Community Budget – Domestic Abuse Pilot

2. Haven Gateway Partnership (HGP) Meeting – 25th November 2013

This meeting was held in the Town Hall, Braintree. Items discussed included the following.

The South East LEP Strategic Economic Plan

The South East Local Enterprise Partnership (SELEP) are in the process of developing their Strategic Economic Plan, a first draft of which is to be submitted to the Government by 19th December 2013. This will form the basis of discussions with the government over allocating funding to the SELEP for the period 2015 to 2020.

To feed into the Economic Plan for Essex, Braintree District is working with its Haven Gateway partners (Colchester and Tendring) to produce a Haven Gateway Strategy. The District has submitted key strategic projects that help deliver the LEP and Essex Plans, including: improvements to the A120 from Braintree to Marks Tey; junction improvements on the A120; improvements to the Braintree to Witham Rail Loop and infrastructure funding for new employment sites.

I regret that in recent discussions at the SELEP Board, there has been an indication that Thames Gateway regeneration is the key priority for Essex under the Strategic Economic Plan. This doesn't recognise the contribution that the rest of Essex in general, and the Haven Gateway in particular, make

to the regional and national economy, and the economic growth potential of this area. Although the Economic Development Plan for Essex covers the whole of Essex, the Thames Gateway/South Essex Authorities have also chosen to develop their own project priorities, and proposed changes to the governance of the LEP would give south Thames Gateway/South Essex stronger Board representation. The three north Essex Local Authorities have expressed their grave concerns at these developments.

New Homes Bonus

The HGP Chairman, George Keiffer, reported on representations that he had made regarding the Government's proposals to top slice future receipts of the New Homes Bonus. I have reproduced, as an appendix to this report a copy of his letter to the Chairman of SELEP.

My understanding is that Mr Jones has indicated that he is sympathetic to the approach set out by the Haven Gateway Partnership

Braintree's Economic Development Prospectus

Peter Smith, Head of BDC Economic Development & Regeneration gave a presentation on the District's draft Economic Development Prospectus.

The Low Carbon Innovation Fund (LCIF)

The meeting received a presentation from representatives of the LCIF.

The LCIF is a venture capital fund which makes early-stage investments as equity or convertible loan between £25K and £750K alongside co-investors. The investee companies must be small or medium enterprises (SMEs) based within the East of England that are developing new and innovative products or processes in a low carbon, environmentally sensitive manner.

LCIF offers two routes to funding depending on the amount required and the stage of the company: the Smaller Investments Scheme, for investments between £25K and £75K, and the Main Fund, for investments between £75K and £750K.

Members interested in further information should go to <https://www.lowcarbonfund.co.uk>

3. Meeting with Brooks Newmark MP – 29th November 2013

Together with the Deputy Leader, Cllr Chris Siddall and the Chief Executive, I met with Mr Newmark. We discussed a number of issues of local concern and interest including regeneration of Town centres, support for small businesses and solar panel "farms".



Patron: The Earl of Cranbrook
Chairman: George Kieffer
Director: Steve Clarke

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P Jones Esq CBE
Chair
South East Local Enterprise Partnership

22 October 2013

New Homes Bonus

You will be aware from comments made at the last Board meeting, as well as through other channels, about the strength of feeling amongst the local authorities in terms of opposition to the Government's proposal to top slice future receipts of New Homes Bonus (NHB) and to include these as part of the Single Pot allocation to be distributed through the LEPs.

I am writing to you as Chairman of the Haven Gateway Partnership and on behalf of its authorities in order to reinforce these objections and to illustrate what this means in our sub region:

The Haven Gateway is among the fastest growing sub regions in the SELEP area. Indeed, our largest district, Colchester, was the one, out of all the districts in the SELEP, which grew the most, in population terms, between 2001 and 2011. It out-performed the likes of Maidstone, Canterbury and Ashford. Braintree, the second largest of our districts, was ranked fifth, ahead of Thurrock, Medway and Southend-on-Sea.

I had always understood that the New Homes Bonus was intended to reward those authorities that had delivered growth and indeed welcomed it as a much better approach than the top-down regional plan allocations under the previous administration. These authorities, more than most, are entitled to feel that they have earned this incentive and are justly entitled to these receipts. Government's current proposals to top slice the NHB and allocate it to the LEPs, in lieu of a properly funded economic development policy, are likely to dent the enthusiasm of these authorities and indeed local residents for continuing the high-growth strategy which the country needs to drive economic growth.

More importantly, it would undermine sensible long term plans being developed by these authorities to invest in the very infrastructure that is vital to support recent and intended future growth. Braintree for example has ring fenced all of its NHB receipts to date (£5 million) and is intending to invest much of this in some short term improvements to alleviate congestion on the A120.

The Haven Gateway authorities cannot see any justification for the Government top slicing their reward for growth in this way but if Government cannot be persuaded to change its policy, the Partnership will look to the SELEP to pass the funding straight back for reinvestment to those areas which had generated it.

In my capacity as Vice Chair of SELEP, I have received similar objections from local authorities outside the Haven Gateway Partnership.

George C Kieffer - Chairman

Core Partners:

Babergh District Council
Essex County Council
Mid Suffolk District Council

BT
Harwich Haven Authority
Port of Felixstowe

Braintree District Council
Colchester Borough Council
Harwich International Port
Tendring District Council

Essex Chamber of Commerce
Maldon District Council
University of Essex

Haven Gateway Partnership - providing a framework through which partner organisations can work together to promote economic opportunities and secure the future prosperity of this major gateway to the East of England

Cllr Graham Butland Leader	
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**REPORT TO COUNCIL – PORTFOLIO AREA OF
PEOPLE AND PARTICIPATION**

Agenda No: 7b

LEISURE SERVICES

1 – The Fusion Leisure Contract

Fusion Lifestyle has just produced their Annual Service Plan 2013/14. The detailed plan sets out the organisation's objectives, targets and approach in achieving the district aspirations. A copy of the plan will be made available to every Member of the Council. The first year of the contract is completed. Over 17,000 more people participated in sport and physical activity across the district's leisure centres compared to the same time last year.

2 – The New Witham Leisure Centre

Construction work is progressing well and the building is beginning to take shape. The structural steel frame is completed, the concrete floors have been laid and it is well on its way to being wind and weather tight. The design team have been working hard finalising the finer details and selecting the internal fixtures and fitting such as tiles, flooring, cubicles, lockers and agreeing the room layouts. You can monitor and watch the Witham Leisure Centre being built at www.witham-leisure-centre.co.uk.

I am pleased to report that the new tennis courts for the Maltings Academy have been completed and handed over a month ahead of schedule. The Council committed to replacing their old facilities as the new leisure centre is being built on the location of the old courts.

I was delighted to meet with some young children from Chipping Hill Primary School to bury a time capsule at the site of the new Witham Leisure Centre. The capsule was packed with artwork depicting great sporting events of the 21st century. The children also wrote letters to future discoverers of the capsule which explained how sport is played and identified significant sporting moments in time. The capsule is buried close to the entrance and is marked with a plaque.

3 – Halstead Leisure Centre

Work has started on improvements to the Halstead Leisure Centre which will be completed close to Christmas. The improvements include a state-of-the-art gym in the existing gym area and the very latest fitness equipment. The existing studio is being refurbished and a brand new cycle studio will be created. The sports hall is also

undergoing essential improvements to improve insulation. A bigger and better studio programme will be launched when the developments are complete.

4 – Braintree Swim Centre

Planning permission has been granted to create a new gym and studio space which will be built after Christmas. The new state-of-the-art gym will be built on the first floor overlooking the pools and will extend out over the flat roof at the rear of the building.

5 – Braintree Leisure Centre

I am pleased to report that since the new gym facilities have opened footfall at the centre has rapidly increased week on week demonstrating that, without doubt, this new facility is meeting the needs of the community in this area of the Braintree district.

6 – Active Braintree District Network

This network is by far one of the busiest meetings I attend. It is made up of partners from the County Council, Greenfields Community Housing, Health, Fusion Lifestyle, Braintree District Council, education and many more. Its vision: To improve the health outcomes for the residents of the Braintree District. The network has close links with the Active Essex Network which is the one of biggest county networks in the Country. The Braintree Active Network has just been awarded £10,000.00 to support health outcome activities within the Braintree district.

7 – District Success at Essex Sports Awards

Sport in the Braintree District has received a boost, with a number of representatives making the finals of the Active Essex Sports Awards. The awards ceremony was held at Colchester United Community Stadium and broadcast live on BBC Essex.

8 – Tour de France

I was delighted to learn that a stage of the Tour de France will be coming through the Braintree District on 7th July 2014. I will update Council further on this in the New Year.

9 – The District Museum

Councillor Tattersley and I were delighted to attend the 20th anniversary of the District Museum in Manor Street. It was an opportunity to meet and celebrate with the many volunteers, supporters and Trust Members who work so tirelessly to ensure the museums success. The museum has become an educational facility for the district with over 3000 school children visiting the museum each year.

ACTIVE COMMUNITIES

1 – Health and Wellbeing Panel

A further meeting of the Health & Wellbeing Panel took place on 28th November. At the time of writing this report the meeting had not been held. I will verbally update Council on the progress made.

A Members Evening will be held in the New Year which will allow all Members to receive the latest information on the public health and wellbeing agenda. I would recommend Members attend this session to learn about the new integrated approach to public health within our district.

2 – Whole Essex Community Budget

I attended a meeting in Chelmsford on 13th November hosted by Essex County Council which updated partners and stakeholders around Essex on the Whole Essex Community budget. There are four strands of work: Community Safety. Health and Wellbeing. Economic Growth. Enablers. I took part in the Enablers session as Braintree District Council has the pilot for health outcomes in Witham and Sible Hedingham.

3 – “Who Will Care?” Commission

I attended a conference in Chelmsford on the 18th November where I had the opportunity to listen to the Chairman of the Mid Essex Clinical Commission Group Dr. Lisa Harrod-Rothwell and the Chairman of the “Who Will Care?” Commission Sir Tom Hughes-Hallett. Sir Tom addressed the meeting by assuring those present that he would be personally committed to overseeing the recommendations within the Commission’s report. Dr. Harrod-Rothwell addressed the meeting by acknowledging that major transformation was required to provide for the needs of a growing population. She said “We mustn’t wait for a crisis in care to happen and we need to support needy people first”.

4 – Safeguarding

Councillor Tattersley and I attended a staff workshop on Safeguarding. Over 100 staff will be trained on safeguarding to ensure that our organisation has the correct and most up-to-date safeguarding practices in place. A Members Evening will be planned in the New Year to ensure that safeguarding training is offered to all Members of the Council. To date over 400 staff have received face to face training on safeguarding.

5 – Member Development

The next meeting of the Member Development Working Group will be held in December. I will report back at the next meeting of Full Council in the New Year.

6 – Localism

Braintree District Council has a service level agreement with the Rural Community Council of Essex. All of the latest information regarding community rights and community led planning can be found on the Members Portal or by contacting: Jan Cole at jan.cole@braintree.gov.uk.

Cllr Joanne Beavis
Cabinet Member – People & Participation

Further information on the contents of this report can be obtained by contacting:
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Designation:	Cabinet Member
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**REPORT TO COUNCIL – PORTFOLIO AREA OF
PERFORMANCE AND EFFICIENCY**

Agenda No: 7c

Banking arrangements

We were notified on 5th November by the Cooperative Bank that they will be withdrawing the supply of their banking services to local authorities. As our contract with the Co-operative bank is to 31 March 2016 we are pursuing with them early termination and transfer to another bank. This has been supported by our financial advisors, Arlingclose. We have sought the assistance of the Banking Relationship partnership which advises on bank tenders and/or benchmarking. We have subsequently met with and are currently in negotiation with another suitable bank, and looking at the procurement issues. Whilst an account can be set up quickly the main issue is the potentially complex migration of the current BACS arrangements.

Local Authority Mortgage Scheme

After a pause whilst they reconsidered their options Lloyds Bank has finally confirmed that it will operate a scheme for the Braintree district. Braintree District and Essex County Council will provide £1million each to indemnify the scheme. The scheme will be launched in early January 2014.

Business Rates

Under delegated authority I have agreed that the Council will participate in the proposed Essex region Business Rates pooling arrangement for 2014/15. The proposal, on behalf of ten Essex public authorities, has been submitted to the Department for Communities and Local Government for approval. The decision is awaited.

Performance Indicators

The second quarter performance report presented to Cabinet on December 9th shows that performance has improved since the first quarter, 10 performance indicators have achieved target and the remaining three only missed their targets by less than 1%. These indicators will be closely monitored and performance is expected to improve over the year.

Progress for projects in the second quarter has been good with five projects now complete and the remaining projects all on track and progressing well.
Council tax collection rate was 68.81% to the end of October, the rate for the same period last year was 69.37%.

Business Rates collection rate was 70.27% to the end of October, the rate for the same period last year was 70.78%.

Housing Benefits processing performance in October was 17.93 days (target of 18 days) for new claims and 6.27 days (target of 6 days) for changes in circumstances.

Budget monitoring for the current year, based on income and expenditure for the first half year, is an anticipated underspend of £60,000. This is an improvement of £257,000 on the predicted £197,000 overspend based on the first quarter. Reasons for the change are mainly due to an overall improvement in expected external income and earlier achievement of savings. Thus, Services are currently forecast to underspend against their non-staffing expenditure budgets by £352,000. The main reasons include a one-off back-dated refund of business rates of £107,000 for Causeway House; a net budget saving on the cost of discretionary business rate relief (£48,000); underspends of £45,000 across Community Services as spending priorities for this service area are reassessed; and lower external transport costs for Waste Management (£52,000) due to changes in service arrangements for green waste.

Medium Term Financial Strategy

Initial budget proposals for 2014/15 and the updated Medium-Term Financial Strategy to 2017/18 have been prepared ahead of the Chancellor of the Exchequer's Autumn Statement scheduled for 5th December 2013 and receipt of the Council's Financial Settlement which is expected in the days following the Autumn Statement.

The Council's budget proposals were presented to and considered by the Overview and Scrutiny Committee on 4th December and Cabinet on 9th December.

Customer Service Excellence Standard

The Environment Service has been awarded the customer service excellence standard and Business Solutions have been re-awarded the standard for their year 3 rolling assessment. This standard is a national award that demonstrates the organisation's commitment to providing excellent customer services and covers our customer insight, delivery, quality and timeliness of customer service. We have already achieved the award in Operations and Housing and will be assessed for it in Finance and Sustainable Development next year.

Telephone System

Over the next month we will be upgrading our system for voice recognition, voicemail and for our main telephone lines into the Council. This will give us improved flexibility in the way that we manage the system and give us the opportunity to put improvements into place that customers have identified through our customer survey. Plans are in place to ensure minimum disruption for customers.

Cllr David Bebb

Cabinet Member Performance and Efficiency

Further information on the contents of this report can be obtained by contacting:
Cllr David Bebb

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**REPORT TO COUNCIL – PORTFOLIO AREA OF
PLANNING AND PROPERTY**

Agenda No: 7d

INFRASTRUCTURE

A120

Haven Gateway Partnership have commissioned Peter Brett consultants to complete an economic impact study on improvements to the A120, this study is nearing completion and will be a key piece of evidence used to try to secure government funding for the scheme. The A120 corridor is included as a key infrastructure improvement within the draft Economic Plan for Essex which will feed into the South East LEP's Strategic Economic Plan, recognising the scheme as a regional priority.

Broadband

Superfast Essex signed a contract with BT to deliver the BDUK programme in the County on 13th August and are now in detailed negotiations with BT on the roll out programme. The District campaign to demonstrate need generated over 3,000 responses and we understand that initial plans show nearly 12,000 new premises enabled in the District (the third highest of the Essex Districts with the third highest capital investment). A number of industrial areas in the County have also been earmarked for superfast coverage, including five in the Braintree district. These include Lakes Industrial Park, Skyline 120 Business Park, Earls Colne Business Park, Springwood Industrial Estate and Waterside Business Park.

PLANNING POLICY

National Grid Bramford to Twinstead Connection Project

As Members are aware National Grid were proposing a 400,000 electricity connection between Bramford, Ipswich and Twinstead (27km). The section in Essex was to be placed underground but the project was also proposing a new substation near Bulmer/Wickham St Paul. The project was scheduled to be operational by 2017 in order to accommodate the demand from new connections arising from offshore wind projects, gas-fired generation and in particular Sizewell C Nuclear New Build.

On the 14th November 2013, National Grid released its revised Need Case, previously prepared in 2011, regarding the capacity requirements for the electricity transmission system in East Anglia. Whilst there remains a need for changes in the transmission system in East Anglia the timing of when significant reinforcement is required has changed from 2017 to an unspecified time in early 2020's due to reductions in capacity and delayed connection dates. The project has therefore been postponed.

Whilst National Grid believe this delay will have no consequential impact on the Strategic Options of the Bramford to Twinstead Project, a review of these Strategic Options on re-commencement of the project will be sought since there may be developments in new technology solutions, efficiencies in cost may support the entire route to be underground (and negate the need for a substation), and possibly a new regulatory system. Furthermore, the evidence base will need to be reviewed and updated with new information, changed circumstances, and policy developments (e.g. proposed extension of Dedham Vale AONB into Stour Valley proposal).

Replacement Minerals Local Plan Examination

The ECC Minerals Local Plan has been examined over a two week period between the 5th and 14th November. The Council have been represented at the examination by our consultant Maureen Darrie, myself, Councillor Abbott, Councillor Walters, Rayne Parish Council, Silver End Parish Council, Rivenhall Parish Council, Witham Town Council and residents of Rayne have also participated in the hearing sessions. The first week dealt with legal and strategic issues; whilst the second went on to discuss site specific issues at Bradwell Quarry, Broadfield Farm and Colemans Farm. The District Council has put the strongest possible case forward for its objections to the Plan. It is expected that the Inspectors final report will be received in January 2014.

HOUSING

Homelessness & Temporary Accommodation

Since April 2013 we have accepted 101 households as being eligible, homeless and in priority need. The total for 12/13 was 164 households and therefore we are predicting a small increase on last year's total.

At the end of October 2013 there were 62 homeless households in temporary accommodation arranged by the Council. This figure has only varied by small amounts throughout 2013/14.

The Council has worked with partners again this year to carry out an estimate of the number of people sleeping rough in the district on a particular night in October. This year the estimated figure was 1, in 2012 it was 4 and 2011 it was 8.

The sub regional work to support the 'No Second Night Out' project is progressing. In the Braintree District, Genesis Housing Association will be leasing properties from private landlords and then will let them to single people nominated by the Council. The April Centre, an established charity based in Colchester, is setting up a 'Homeless Hub' in the sub region that the Council will refer into for fast access support for rough sleepers.

Work with Private Landlords

On the 11th November 2013, a drop-in event for Landlords was held at Causeway House with a range of organisations (already working with private landlords) participating. These included Colne Housing Society, Genesis Housing Association, various Council teams (Environmental Health, Housing Benefits, Housing) the Eastern Landlords Association, One Support (a floating support service).

Affordable Housing Development

The official opening of Greenfields new scheme of eight new homes at Park Court, Sible Hedingham took place in November 2013. Since April 2013 there has been a total of 69 new homes. The next completions of new homes are scheduled for February 2014 when a number of schemes with a total of 29 units are due to be completed.

The draft Strategic Housing Market Assessment (SHMA) has now been received from David Couttie Associates (DCA). We are part of a consortium of 5 Councils (Braintree, Brentwood, Chelmsford, Colchester and Maldon) that have commissioned the Assessment. The consortium is seeking some changes to the final reports, which has delayed publication. The planned Stakeholder Event and presentation to Braintree Members by David Couttie are now likely to be held in January 2014.

Housing Assessment

In the last quarter 249 housing association homes were advertised in the Braintree District via the Gateway to Homechoice, Choice Based Lettings scheme.

At the end of October 13 there were 2700 applicants on the Housing Register.

ASSET MANAGEMENT

Land East of High Street, Halstead

The revised Vendor Consortium Agreement and Savills (the selling agents) letter of appointment have now been sent out to all vendors for signature. Savills will commence the marketing of the site in November 2013 with a view to inviting sealed bids in early February 2014.

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REPORT TO COUNCIL – PORTFOLIO AREA OF PLACE

Agenda No: 7e

ENVIRONMENTAL SERVICES

‘Our Dirty Nation’ Panorama 28 October 2013 on BBC1

I was delighted with the portrayal of the Council and the District in the programme. It was presented by Dame Joan Bakewell who is passionate about the issue and works with Keep Britain Tidy, who in turn recommended a number of Local Authorities they felt would be good subjects for the programme. Braintree District Council was put forward for the excellent work it has, and still does, under the ‘Green Heart of Essex’ campaign. Interviews were done with residents, farmers, campaign groups, academics, volunteers and Councils across the UK including Manchester, Somerset, Suffolk and Lancashire.

I would like to make special mention and thanks to the staff highlighted in the programme Stuart Thompson Tony Lynch and Roger Grace, who came across as very professional and also to the Marketing and Communications Department who organised the programme for Dame Joan at very short notice. I have been overwhelmed by the amount of positive comments made by the public which proves that we are getting it right.

Clear up after the Storm

Following the storm on the morning of Monday 28th October Building Control was notified of 4 potentially dangerous structures in the district, one of which was Rickstones Pavilion which lost half its timber roof.

Licensing – LGA call for local fee setting

The Home Office has failed to establish the locally set fee system outlined in the 2011 Police Reform and Social Responsibility Act; meaning Councils’ are unable to recover the actual costs of license applications from pubs, nightclubs and off-licences. Currently the fee cannot include payments for site visits, public consultations, meetings with police and committee hearings and investigations of breaches cannot be claimed back by local authorities, therefore the LGA are calling for reforms to allow local councils to determine and set their own fees for the licensing act.

Check hygiene ratings this Christmas

With Christmas on the way, residents are being encouraged to check out not only the menus but also premises’ food hygiene ratings. Under the national ratings scheme, Environmental Health Officers from BDC have been inspecting food outlets across the district. Restaurants and pubs, as well as cafes, takeaways and other places that sell or serve food, are rated from five "very good" to zero "urgent improvement is necessary" on their hygiene standards. The rating does not look at food quality, but

rather how well the business is meeting the law on food hygiene. In the district, 539 premises have so far been given a five rating, 226 premises have a four, 113 a three, 19 a two, 36 a one, and three premises have a zero.

OPERATIONS

Cordons Farm

I am pleased to inform Members that Essex County Council formally completed their purchase of part of Cordons Farm on 18 October 2013. This paves the way for them to develop the new Waste Transfer Station for the Braintree District and we will be working ECC over the next 12 months to accommodate the new facility which will be operational in the latter part of 2014.

Christmas/New Year Waste Collections

I would take this opportunity to remind Members that this year, collection arrangements are slightly different and the key point to note is that they change mid-December (with an advanced collection) so it is important for residents to check their calendars early. We will be posting notices on the website and in the local press and will also be putting stickers on bins to ensure that residents are aware of the changes in good time. Parish/Town Councils have been notified in the normal way.

2013 Storm

I'm pleased to report that there was minimal disruption to front-line services as a result of the storm on Monday, 28 October and staff were busy helping to remove fallen trees and other debris. We lost a number of trees in our Cemeteries and open spaces. Where power cuts occurred, we cleared the extra food waste without the need to operate additional services.

Keep Britain Tidy

Once again BDC performed extremely well at the KBT Awards, as runner up with the Stamp Out Poo campaign and winning in the volunteers section with Karen Brown for her work in the Braintree East, Pride in our Patch and myself as Environmental Elected Member of the year

Britain in Bloom

The work undertaken by the Council's grounds and street cleansing staff played a key role in helping Halstead Town win GOLD in the RHS Britain in Bloom Competition and certificates of appreciation will be given to Roger Grace, Gavin Rush and Peter Nice and team. HIB will also be competing at national level again next year.

New Play Areas Open

Two new play areas have been completed on time and within budget, Templars Estate, which includes new play equipment, safety surfacing, picnic benches, litter bins and an 8-piece outdoor gym and Panners Bridge, Gt. Notley this includes new play equipment, wheelchair accessible roundabout and safety surfacing and litter bins.

Best Kept Playing Fields and Play Areas

The Council received recognition from the Essex Playing Fields Association for the quality of its playing fields and play areas, receiving a total of 27 certificates of merit, 16 Gold and 8 Silver Awards. In particular, we won the overall class for our playing field at Mill Chase, Halstead and were runner-up for best kept play area at Hillie Bunnies, Earls Colne. This not only reflects the level of investment made by the Council in recent years, but also the high standard of grounds maintenance and cleanliness in our play areas.

COMMUNITY SAFETY

Community Safety Partnership

The Action Plan 2013/14, Terms of Reference and evaluation documents have been ratified by the Partnership. A form has been developed for partners to provide updates on work that their organisations have or are planning to deliver that link to Community Safety. A request has gone out to partners for data and information for the annual strategic assessment.

Domestic Homicide & Serious Case Review

The Children's Board held seminars on Lessons Learnt to gain an understanding of the outcomes of the review and lessons learned.

High Sheriff Visit

This took place on 1st November and three partner organisations gave presentations regarding Domestic Violence, the High Sheriff then visited Braintree East, Pride in our Patch.

Domestic Abuse Pilot

To 31.10.13 there have been 47 high risk, 14 medium risk and 1 standard risk referrals made to the pilot from the Braintree District. The pilot staff have directly referred victims to a range of services including outreach support, refuge placement and legal advice. They have also written letters of support for housing moves and provided information in the form of leaflets for those they were unable to contact personally. There were a further 7 high risk victims identified by the pilot who were referred to the independent domestic violence advisor (IDVA) service run by Victim Support, for their support during the court process, after their perpetrator has been charged.

LANDSCAPES AND COUNTRYSIDE

The St. Jude's Day Storm caused damage to BDC trees amounting to £20k – 25k, contractors are still carrying out work to damaged canopies with hanging branches, open space areas have been inspected but more detailed survey work will be required.

New tree planting is planned at Sauls Road and Bramble Road, Witham; Bocking Blackwater, Ajax Close, Bradford Meadow, Braintree also on other sites in mitigation for tree losses on Greenfields land following subsidence claims, the latter funded from GCH.

National Tree Week will see trees planted in Witham by Witham Tree Group and in Weavers Park Braintree by children from Great Bradfords School.

The avenue of trees in Coggeshall Road, near to the Marks Farm roundabout, have reached the stage where they need thinning out to encourage better growth. They were deliberately planted closely to give instant interest with plans for the later thinning out. Signs will be put up to explain the action and nearby residents leafleted, this will take place in February.

A seminar evening for Tree wardens will be held on 18th December

Cllr Mrs Wendy Schmitt

Cabinet Member – Place

Further information on the contents of this report can be obtained by contacting:

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**REPORT TO COUNCIL – PORTFOLIO AREA OF
PROSPERITY AND GROWTH**

Agenda No:7f

Business support

Development work on a suite of 12 new enterprise units with training and business support facilities at Springwood Drive continues. Planning approval for the new units was granted at the October Planning Committee and we are now in the tender process. Ignite has also taken on the former Community Centre in Victoria Street, enabling them to provide additional enterprise and training space and retail space for a jewellery and craft market.

We are also supporting Witham Industrial Watch to resubmit their Business Improvement District initiative which will involve a new ballot to be completed by 31st July 2014.

Economic Development

I was pleased to be invited to visit Freeport along with the Cabinet on 7th November to meet the Development Manager from Realm who own and operate the retail outlet, and tour the site. This was a very informative visit which reinforced the importance of Freeport to the local economy and gave an insight into plans to develop the outlet offer in the future

Business engagement

Recognising the need for stronger business engagement at a strategic level, a small number of senior business figures from across the District were invited to a meeting on the 27th November. Discussions took place on how the Council can work with these strategic businesses to deliver our prosperity and growth plans. It is my plan that this will become a Business Leaders Board supported by an open business forum and I am pleased to report that the meeting went extremely well. We are also in the process of organising a Chairman's event for rural businesses in April 2014.

Skills

The Scrutiny Committee review of NEETs continues and the Council has taken on a new cohort of apprentices bringing the total to 13. We are also supporting a Braintree jobs fair planned for March 21st 2014 organised by Brooks Newmark MP.

Regeneration

The demolition of 75 & 77 South Street on the corner of South Street and Fairfield Road has taken place, to make way for a new gateway and road junction. Work is underway on the infrastructure, drains etc. and we expect all works to be completed in spring 2014. The St. Michael's Fountain project, which will improve another important gateway to the town, is now well underway and is starting to really take shape. It will really be a huge improvement to the public realm and includes seating, paving and planting, and is due to be completed by Christmas.

We continue to work with our partners in each of the towns to deliver the Portas Pilot aspirations. In Braintree town, the Town Team were involved in planning Christmas and delivery of the Christmas events which culminated on 1st of December with the Christmas lights switch on. It was a fantastic success as anyone who visited the town will testify, and I would like to thank all those who were involved.

In Witham, a further meeting of strategic partners with the MP and Bill Grimsey took place on 5th December, and I look forward to moving forward with work planned for the town.

The Halstead Town Team is working with web developers to produce their website which will promote shopping locally in the town, and marketing the events which are to be held. The Christmas Market day arranged by the town team was also reported as a great success, well done also to those who were involved.

Cllr Chris Siddall
Cabinet Member – Prosperity and Growth

Further information on the contents of this report can be obtained by contacting:

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COUNCIL
16th December 2013



LIST OF PUBLIC MEETINGS HELD SINCE COUNCIL MEETING OF 14TH OCTOBER 2013		Agenda No: 9
Corporate Priority: Not applicable Report presented by: Not applicable Report prepared by: Alastair Peace – Member Services Manager		
Background Papers: Published Minutes of the meetings listed within the report below.		Public Report
Options: Report for noting		Key Decision: No
Executive Summary: Since the Council meeting held on 14 th October 2013, the following Minutes have been published for meetings held in public session: <ul style="list-style-type: none"> (1) Council – 14th October 2013 (2) Planning Committee – 22nd October 2013 (3) Local Development Framework Sub-Committee – 6th November 2013 (4) Overview and Scrutiny Committee – 7th November 2013 (5) Planning Committee – 19th November 2013 (6) Licensing Committee – 20th November 2013 (7) Overview and Scrutiny Committee – 4th December 2013 (copy to follow) (8) Cabinet – 9th December 2013 (copy to follow) 		
Decision: Members are invited to note the Minutes published.		
Purpose of Decision: Not applicable		
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