

CABINET MEETING

The CABINET will meet at CAUSEWAY HOUSE, BOCKING END, BRAINTREE, ESSEX CM7 9HB on MONDAY 2ND FEBRUARY 2009 AT 7.15PM

Membership

Councillor Graham Butland (Chairman) - Leader of the Council
Councillor Nigel Harley – Deputy Leader/Enterprise, Culture and Leisure
Councillor Joanne Beavis – Customers and Communication
Councillor Michael Lager - Efficiency and Resources
Councillor Wendy Schmitt – Communities and Housing
Councillor Roger Walters – Environment and Sustainability

Invitees

Deputy Cabinet Portfolio Members:-

Councillor David Bebb - Customers and Communication
Councillor Liz Edey - Communities and Housing
Councillor Nigel McCrea – Leader’s Portfolio
Councillor John McKee - Efficiency and Resources
Councillor Robert Mitchell - Environment and Sustainability
Councillor Tim Wilkinson – Enterprise, Culture and Leisure

Other invitees:- Group Leaders, Local Committee Chairmen and the Chairman of the Overview and Scrutiny Committee

For enquiries on this agenda please contact:

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This agenda is available on

www.braintree.gov.uk/Braintree/councildemocracy

PUBLIC INFORMATION

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 about Council business or other matters of local concern. During this period, Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for Members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a personal and prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Democratic Services Officer on (01376) 552525 or email eileen.self@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham and Halstead.

Health and Safety

Any persons attending meetings are requested to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself. You will be assisted to the nearest designated assembly point until it is safe to return to the building

Mobile Phones

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

Webcast

Please note that this meeting will be webcast.

INFORMATION FOR MEMBERS

Declarations of Interests:-

- To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 [inclusive] of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice where necessary before the meeting.
- Any member with a 'personal and prejudicial' interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time. *Note: A member with a personal and prejudicial interest must withdraw from the room or chamber whilst the item of business the subject of such prejudicial interest is being considered*

AGENDA

| 1. APOLOGIES FOR ABSENCE | | | |
|---|--|----------------------------|------------------------|
| 2. DECLARATIONS OF INTEREST | | | |
| 3. PUBLIC QUESTION TIME | | | |
| 4. MINUTES OF LAST MEETING | | | |
| <p>To approve as a correct record the minutes of the meeting held on 1st December 2008 (Copy previously circulated) subject to the amendments raised by the Leader and Councillor Lager at the Council meeting on 15th December 2008 with regard to</p> <ul style="list-style-type: none"> (i) the additional funding to the Citizens' Advice Bureau being for each of three years (ii) that Discretionary Rate Relief ceasing from 31st March 2009 only refers to foundation schools, private schools and colleges (iii) and to note that Councillors Walters and Mitchell have been appointed the Council's representatives on the Joint Committee of the Joint Parking Scheme. | | | |
| 5. WE DELIVER EXCELLENT, COST EFFECTIVE AND VALUED SERVICES | | | |
| No | Subject | Executive Summary | Additional Papers |
| 5a | <p><u>Annual Report 2008</u> - to receive and note the report Presented by: Cllr Butland Report Author: Allan Reid</p> | Report enclosed separately | |
| 5b | <p><u>Annual Plan 2009/10</u> – to consider proposals Presented by: Cllr Butland Report Author: Sara Moutard</p> | Page 1 | Appendix Page 1 |
| 5c | <p><u>Council Budget & Council Tax 2009/10</u> - to recommend to Council proposals for the Council's budget, Council Tax and Housing rents Presented by: Cllr Lager Report Author: Trevor Wilson</p> <p><i>Please retain all reports for the Council meeting on 16th February 2009</i></p> | Page 3 | Page 3 |
| 5d | <p><u>Programme and Performance Management Review</u> – to consider proposed initiatives Presented by: Cllr Lager Report Author: Chris Fleetham</p> | Page 5 | Page 78 |

| 6. EVERYONE CAN ENJOY A HEALTHY LIFESTYLE | | | |
|---|---|---|---------------------|
| 6a | <u>Supporting our Communities</u> during the current economic climate – to endorse proposed initiatives Presented by: Cllr Butland Report Author: Charmaine Dean | Page 9 | Appendix Page 84 |
| 6b | <u>Braintree District Local Area Agreement</u> – to consider proposals Presented by: Cllr Butland Report Author: Sara Moutard | Page 10 | Page 88 |
| 6c | <u>Replacement Swimming Pool – Witham</u> – to agree the project be included in the Three Towns: One Vision Programme Board Presented by: Cllr Harley Report Author: Russell Everard | Page 12 | |
| 7. CABINET MEMBERS' UPDATES | | | |
| <ul style="list-style-type: none"> – to receive Cabinet Members' verbal reports on key issues within their Portfolio, including <ul style="list-style-type: none"> (a) Review of Decision Making | | | |
| 8. REFERENCES FROM COUNCIL/COMMITTEES/GROUPS | | | |
| 8a | <u>Performance & Project Management</u> - to receive a recommendation from the Performance & Efficiency Programme Board 27 th November 2008 Presented by: Cllr Lager <i>(Recommendation dealt with under Item 5d)</i> | Extract from Minutes – Page 15 | |
| 8b | <u>Business Efficiency Programme</u> - to receive a recommendation from the Performance & Efficiency Programme Board 27 th November 2008 Presented by: Cllr Lager <i>(Recommendation dealt with under Item 5c)</i> | Extract from Minutes – Page 15 | |
| 8c | <u>Review of Fees and Charges</u> - to consider proposals from the Task and Finish Group Presented by: Cllr Mrs Sandbrook | Report attached – Page 17 Appendix – Page 92 | |
| 8d | <u>Regulation of Investigatory Powers Act 2000 (RIPA)</u> - to receive a recommendation from the Audit Committee 8 th January 2009 Presented by: Cllr Butland | Extract from Minutes – Page 19 | |

| 9. REPORTS/URGENT DECISION/ DELEGATED DECISIONS/MINUTES TO BE NOTED | | |
|---|---|--|
| 9a | Chief Executive Report - to receive a verbal report Presented by: Allan Reid | |
| 9b | Urgent Decision by the Chief Executive – to accept grant funding from the Mid Essex NHS Primary Care Trust to provide free public swimming sessions at the Halstead, Witham and Braintree swimming centres between 1 st January 2009 and 31 st March 2009 | Copy attached at Page 20 |
| 9c | Delegated Decisions – to note recently made delegated decisions | List attached at Page 21 |
| 9d | Minutes from Cabinet Sub Groups – to note the following minutes <ul style="list-style-type: none"> ➤ Local Government Reform - 26th November 2008 ➤ Performance & Efficiency Programme Board - 27th November 2008 ➤ Joint Consultative Group - 1st December 2008 | Copy previously circulated Copy previously circulated Copy to follow |
| 10. URGENT BUSINESS AUTHORISED BY THE CHAIRMAN | | |
| 11. EXCLUSION OF PUBLIC AND PRESS TO CONSIDER REPORTS IN PRIVATE SESSION – for reasons set out in Paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972 | | |

The last page of the public agenda is numbered 23.

AGENDA – PRIVATE SESSION

| 12. WE DELIVER EXCELLENT, COST EFFECTIVE AND VALUED SERVICES | | |
|---|---|---|
| No | Subject | Papers |
| 12a | <u>Use of Resources 2008 – Key Lines of Enquiry</u> – to note the report. Presented by: Cllr Lager Report Author: Trevor Wilson | Page P24 Appendix Page P102 |
| 13. BUSINESS IS ENCOURAGED AND THE LOCAL ECONOMY PROSPERS | | |
| 13a | <u>Town Centre Regeneration – The Next Steps</u> – (i) to receive recommendations from the Three Towns: One Vision Programme Board 8 th December 2008 (ii) to note the minutes of the meeting held on 8 th December 2008 Presented by: Cllr Butland | Extract from agenda attached - Page P25 Page P26 |

The last page of agenda – private session is numbered P27.