

# COUNCIL

## AGENDA



**THIS MEETING IS OPEN TO THE PUBLIC** (*Please note this meeting will be webcast*)

<http://www.braintree.gov.uk/Braintree/councildemocracy/committees/Council>

**Date:** Monday, 7<sup>th</sup> November 2011

**Time:** 7.15pm

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

### Membership:

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

### 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 prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Member Services Team on 01376 551414 or e-mail [alastair.peace@braintree.gov.uk](mailto:alastair.peace@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.

**Members of the Council are requested to attend the above meeting to transact the following business: -**

**PUBLIC SESSION**

1. **Apologies for Absence**
2. **To receive any announcements/statements from the Chairman of the Council.**
3. **Declarations of Interest.**
  - (a) 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.
  - (b) 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.
4. **Minutes.** To approve as a correct record the minutes of the Council meeting held on 19<sup>th</sup> September 2011 (Copy previously circulated).
5. **Question Time.** (See above paragraph).
6. **Policy Recommendations and References – Audit Committee, 29<sup>th</sup> September 2011**

To consider any policy recommendations which have arisen since the last Council meeting.

  - (i) **Treasury Management – Mid-Year Report 2011/12** (Page 1)
7. **Policy Recommendations and References – Local Government Cabinet Reform Other Committees.**

To consider any policy recommendations which have arisen since the last Council meeting.

  - (i) **Polling District and Polling Place Review 2010/11** (Page 13).
  - (ii) **Review of Parliamentary Constituency Boundaries** (Page 18).
8. **Policy Recommendations and References – Cabinet – 24<sup>th</sup> November 2011**

To consider any policy recommendations which have arisen since the last Council meeting.

  - (i) **Loan to Braintree Town Football Club** (Page 21).
  - (ii) **Review of Treasury Management Investment Policy** (Page 26).
  - (iii) **Braintree Town Hall Capital Project – Additional Funding Requirement** (Page 36).
9. **Statements by Members.**

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 18.4(a). **There are none.**

## 10. Question Time

- (i) **Statement's from the Leader and Cabinet Members.** To receive the following reports from each Portfolio Holder.
  - a) Councillor G Butland, Leader of the Council (Page 38)
  - b) Councillor J C Beavis, Communities (Page 41)
  - c) Councillor Lady Newton, Enterprise, Housing and Development (Page 48)
  - d) Councillor W Schmitt, Environment (Page 52)
  - e) Councillor C Siddall, Efficiency and Resources (Page 58)
- (ii) Oral questions without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

(Please note that the time set aside for this item shall not exceed 30 minutes)
- (iii) **Chairmen's Statements.** To receive statements from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements. ***None have been received.***
- (iv) To raise any matters arising from the minutes of **meetings that have been held in public session** since the last Council meeting on 19<sup>th</sup> September 2011 (Page 60).

## 11. To receive reports about and receive questions and answers on the **business of external organisations.**

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**

## 12. Statements by Members – Private Session

To receive and give responses to statements by Members which contain confidential or exempt information of which the appropriate written notice has been given to the Chief Executive in accordance with Council Procedure Rule 10.4(a). The Chairman will invite the Leader or relevant Cabinet Member to comment on each statement.  
***There are no statements***

## 13. Question Time - Private Session

- (i) **Leader's Statement** or statement by Cabinet Members containing exempt information on a key issue.

- (ii) **Oral questions** without notice to the Leader on any non-operational matter in which the Council has powers or duties or which affects the district or its inhabitants and which contain exempt information. (Procedure rules 10.2 and 10.8 apply) [*The Leader may respond directly, request another Cabinet Member to respond, provide a written response after the meeting or, if the question relates to an operational matter, request that the appropriate officer deals with the issue outside the Council meeting*]

*(Please note that the time set aside for item 13 (ii) shall not exceed 30 minutes)*

- (iii) **Chairmen's Statements.** To receive statements containing exempt information from those Chairmen who have given prior notification in accordance with Council Procedure Rule 10.7 and to respond to questions on such statements - ***There are none.***
- (iv) To raise any matters arising from the minutes of meetings that have been held in private session since the last Council meeting on 19<sup>th</sup> September 2011.

- 14. **Private Session Policy Recommendations.** To consider any policy recommendations (in private session) that have arisen within the last meetings' cycle – ***There are none.***

If you are unable to attend the meeting please forward your apologies for absence to Alastair Peace on 01376 551414 or email [alastair.peace@braintree.gov.uk](mailto:alastair.peace@braintree.gov.uk)

The last page of this agenda is numbered 60.

A J REID  
Chief Executive

### **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.

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

Braintree District Council welcomes comments from members of the public in order to make its 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 Attended .....

Date of Meeting .....

Comments.....  
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Contact details.....

<p><b>POLICY RECOMMENDATIONS AND REFERENCES - AUDIT COMMITTEE -29<sup>th</sup> September 2011</b></p> <p><b>Treasury Management – Mid-Year Report 2011/12</b></p>	<p><b>Agenda No: 6(i)</b></p>
<p><b>Portfolio Area: Efficiency and Resources</b> <b>Report Presented by:: Councillor Lager</b></p>	
<p><b>Background Papers:</b></p> <p>Audit Committee Report - Treasury Management – Mid-Year Report 2011/12 – 29<sup>th</sup> September 2011 Item 6c (Included in this minute extract)</p>	<p><b>Public Report</b></p>
<p><b>Minute Extract:</b></p> <p><b>Audit Committee 29<sup>th</sup> September 2011 – Minute 26.</b></p> <p>26     <b><u>TREASURY MANAGEMENT MID-YEAR REPORT 2011/12</u></b></p> <p><b>INFORMATION:</b> Consideration was given to the Treasury Management Mid-Year Report 2011/12.</p> <p>It was reported that Treasury Management training was being arranged which all Councillors would be able to attend. It was hoped that this would take place at the end of November 2011. The Chairman requested that Councillors should also be updated on the Council's investments with Icelandic banks.</p> <p><b>DECISION:</b> That it be <b><u>RECOMMENDED TO COUNCIL</u></b> that the Mid-Year Treasury Management Report 2011/12 be noted.</p>	

<b>Treasury Management – Mid-Year Report 2011/12</b>		<b>Audit Committee Agenda No: 13</b>
<b>Portfolio Area:</b> Efficiency & Resources		
<b>Report presented by:</b> Phil Myers, Financial Services Manager		
<b>Report prepared by:</b> Phil Myers, Financial Services Manager		
<b>Background Papers:</b> Treasury Management Strategy 2011/12 approved by Council on 23 February 2011		<b>Public</b>
<b>Options:</b> To approve the Mid-Year Treasury Management Report with/ without suggested amendment		<b>Key Decision:</b>  <b>NO</b>
<p><b>Executive Summary:</b></p> <p>The Mid-Year Treasury Management Report is prepared in accordance with best practice requirements for the treasury management function. The Report is intended to provide the Council with an update on its current treasury management activities and any related issues.</p> <p>The Report is accompanied by the latest Treasury Management Monthly Monitor providing a snapshot of the Council's treasury position as at 31<sup>st</sup> August 2011.</p> <p>The economic backdrop during the first half of the year has been dominated by a number of issues:</p> <ul style="list-style-type: none"> <li>• Benign growth across major World economies including the UK</li> <li>• Higher levels of inflation - albeit regarded by the Bank of England as temporary in nature driven by specific events or commodities</li> <li>• Deepening of the Euro zone sovereign debt crisis e.g. across Greece, Italy and Spain</li> <li>• Down grading of the credit rating of the USA by Standard and Poors.</li> <li>• Flight to 'safe haven' in terms of investors moving funds into UK Treasury Gilts</li> </ul> <p>The result has been a "lower for longer" interest rate environment in the UK, with no change in the Official Bank Base Rate since March 2009 and increases not now expected until at least the first quarter of 2012.</p> <p>There is currently no change in strategy by the Council regarding borrowing for capital purposes and the possibility of seeking early redemption of existing market debt remains under review.</p> <p>Investments continue to be made with a relatively small range of highly rated institutions – albeit some further diversification is achieved through money market funds. A number of longer term (up to one year) deposits were placed earlier in the year to gain value</p>		

from the positive interest yield curve.

Continued nervousness and changes in sentiment across financial markets has recently prompted a change in approach to be adopted on investment maturity limits with highly rated UK institutions currently restricted to six months. It is also proposed to cease any new deposits with Santander UK plc for the time being (advice from the Arlingclose is to restrict to three months). This change will inevitably result in greater use of the Debt Management Office account although consideration is being given to alternative investment options e.g. UK Treasury Bills or other local authorities.

The Council is continuing to receive monies from Kaupthing Singer and Friedlander, with a total of 58p in the £ recovered to date (£580,000 principal plus £16,735 interest) and a current estimated total recovery in the range of between 78p and 86p in the £. With regards funds at risk with Landsbanki and Glitnir banks the Council is waiting the outcome of appeals to the Icelandic Supreme Court made by other creditors to the decision of the District Court to grant UK local authorities priority status in a number of test cases.

Treasury management activities have been conducted within the prudential limits set by Council and it is not anticipated that these limits will be exceeded over the remainder of the year.

The latest budget projection indicates a shortfall of £30,000 in interest receivable against budget, of which £16,000 is borne by the General Fund (but offset by drawing down from the treasury management reserve) and the balance charged against the Housing Revenue Account balances.

**Decision:**

1. To recommend to Council the Mid-Year Treasury Management Report for 2011/12

**Purpose of Decision:**

The purpose of the decision is to demonstrate scrutiny by the Audit Committee of the treasury management function prior to reporting to Council

**Any Corporate implications in relation to the following should be explained in detail**

**Financial:**

Changes to financial assumptions regarding investments will be addressed in updates to the Council's medium term financial plans.  
Decisions taken over investments at risk with Icelandic banks could impact on the amounts finally recovered.  
Latest estimates of recovery levels are set out in the report; however, these are subject to legal process and complex financial matters that could alter the amounts significantly.

**Legal:**

The Council is currently party to joint legal action being taken in the Icelandic courts over securing priority status of UK local authority deposits. The Council's Monitoring Officer is party to the confidential legal privilege assigned to these matters and is therefore able to advise the Council accordingly.

<b>Equalities/Diversity</b>	N/a
<b>Customer Impact:</b>	N/a
<b>Environment and Climate Change:</b>	N/a
<b>Consultation/Community Engagement:</b>	N/a
<b>Risks:</b>	The Treasury Management Policies and Practices, and Procedures are intended to manage the inherent risks within the treasury management function. Specific risks relating to the recovery of sums from investments at risk with Icelandic banks are set out in the report.
<b>Officer Contact:</b>	Phil Myers
<b>Designation:</b>	Financial Services Manager
<b>Ext. No.</b>	2810
<b>E-mail:</b>	<a href="mailto:Phil.myers@braintree.gov.uk">Phil.myers@braintree.gov.uk</a>

# **Mid-Year Treasury Management Report 2011/12**

## **Background**

The treasury management service is an important part of the overall financial management of the Council's affairs, including the effective funding of the council's capital programme decisions.

The Council's treasury activities are strictly regulated by statutory requirements and by the Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (the Code) issued by the Chartered Institute of Public Finance & Accountancy (CIPFA).

One of the key recommendations of the Code is that, along with an annual strategy report, considered prior to commencement of the financial year, and annual report issued after the financial year-end, the Council should also receive a mid-year report to update them on treasury management matters.

The current treasury management strategy was approved as part of the annual budget and council tax setting decisions made by Council at its meeting held on 23 February 2011.

## **Treasury Management Policy**

### **Policy Statement:**

The Council defines its treasury management activities as:

“the management of the Council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

The Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of its treasury management activities will focus on their risk implications for the Council.

The Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance management techniques, within the context of effective risk management.

## **Current Treasury Position**

The appendix<sup>1</sup> to this report provides a copy of the latest in-year treasury management report which is prepared monthly for Finance Management and the Cabinet Member for Efficiency & Resources (and his deputy), and considered by the Audit Committee as part of its regular monitoring of a range of Key Financial Indicators.

## **Economy and events**

Growth prospects for the UK economy have deteriorated since the start of the financial year, moving from an expectation of modest expansion to the risk of a

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<sup>1</sup> For Audit Committee the appendix is not attached as it is included on the separate agenda item for Key Financial Indicators.

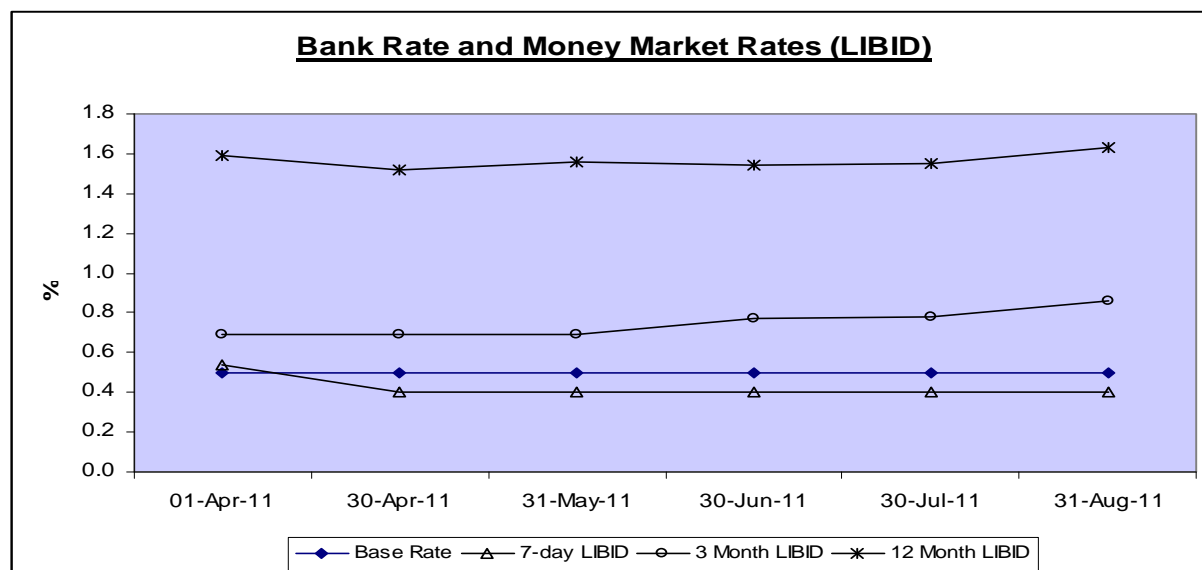
double-dip recession. Inflation has remained high, running well above the 2% target for the Consumer Price Index (CPI) set by Government (4.4% in July 2011). The Bank of England has held the view that the higher inflation rate has been due to temporary factors: the increase in VAT to 20%, global energy prices, and import prices. Policies have therefore been driven by the slow growth, rather than the upward trend in inflation. Financial markets appear to support the UK's strategy of keeping interest rates lower for longer coupled with quantitative easing, whilst at the same time exercising tight fiscal policy through public sector spending cuts.

In the rest of Europe the sovereign debt crisis has deepened. The agreement in July to address Greece's fiscal problems and broaden the mandate for the European Financial Stability Facility only bought time for the Euro zone as market pressure increased on Italy and Spain, but did little to address the issue of overburdened sovereign balance sheets.

The European Banking Authority (EBA) released the results of the second round of stress testing of banks in July. Out of 91 banks 8 failed (two Greek, one Austrian, and five small domestic Spanish banks or "caja"). All of the UK banks tested by the EBA that are on the Council's lending list met the 'stressed' Core Tier 1 Ratio of 5% and none were adjudged as 'near-failed'.

The economic uncertainty has resulted in analysts postponing the likelihood of an increase in the UK Bank Rate until mid 2012. UK Treasury Gilt's have been considered a safe haven with demand pushing yields to their lowest levels in five years and consequently borrowing rates from the Public Works Loan Board have similarly fallen.

LIBID (the inter bank lending rates) remained little changed over the first five months of the financial year.



Latest forecasts for the Official Bank Rate are as follows:

	Sep 2011	Dec-11	Mar-12	Jun-12	Sep-12	Dec-12	Mar-13	Jun-13	Sep-13	Dec-13	Mar-14	Jun-14	Sep-14
Upside risk				0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50
<b>Central case</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.75</b>	<b>0.75</b>	<b>1.00</b>	<b>1.25</b>	<b>1.50</b>	<b>1.75</b>	<b>2.00</b>	<b>2.25</b>
Downside risk						-0.25	-0.25	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
Forecasts for Central Case as per original Treasury Strategy approved in February 2011:													
	0.75	1.00	1.25	1.50	2.00	2.50	2.75	2.75	3.00	3.00	-	-	-

Source: Arlingclose

In light of the lower for longer interest rate environment revisions have been made to the investment returns assumed in the Medium-Term Financial Strategy<sup>2</sup>.

### **Borrowing**

There are no changes currently anticipated in the Council's strategy towards borrowing – i.e. the capital programme is assumed to be fully funded from resources other than borrowing, and whilst the remaining £6 million of market debt has some years to run before the maturity date, there may be opportunity to redeem earlier in either of the following circumstances:

- The lender exercises the option to vary the interest rate (unlikely at the present time).
- A negotiated exit fee (which could be funded from capital resources) is agreed and which is deemed appropriate in order to reduce on-going revenue interest costs.

The Council's external treasury management advisors continue to monitor the position regarding likely cost of an early exit fee should the Council wish to pursue this route.

Under changes to accounting rules introduced from 2010/11, the Council has brought "on-balance sheet" assets and liabilities for land, property, vehicles and plant that had been acquired by lease and hitherto excluded from the balance sheet, the value of which was £2.608 million as at 31<sup>st</sup> March 2011. Whilst this change impacts on the Council's capital financing requirement (a balance sheet measure of the need to borrow for capital purposes), there is no immediate effect on the Council's finances as the same annual payments continue to be made which reduce the outstanding liabilities in line with the original lease agreements.

### **Investments**

#### Investment policy

The council's overriding policy objective remains to invest its surplus funds prudently. investment priorities are:

- security;
  - liquidity i.e. having funds available when required
- having ensured that these two objectives have been met, the council will then consider highest yield commensurate with these priorities.

#### Investment Strategy

Whilst the approved treasury management strategy set out a range of instruments that could be used for investment purposes (defined between specified and non-specified according to their relative risk profile), essentially activity has been focused around using the following:

- Highly credit rated UK banks/ building society (as determined by the credit criteria approved by Council in February)
- Money Market Funds (triple A rated)
- Debt Management Office (i.e. direct with UK Government)

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<sup>2</sup> Medium-Term Financial Strategy 2011/12 to 2104/15 – report to Cabinet 1 September 2011

- Co-operative Bank (own bank used solely for overnight or next working day deposits to manage immediate cash flow requirements)

Counterparty credit quality is assessed and monitored with reference to:

- Credit Ratings from the three leading rating agencies
- Credit default swaps (a traded form of default insurance used to measure market sentiment over risk of default)
- Sovereign data e.g. Gross Domestic Product or GDP, debt as proportion of GDP
- Support mechanisms i.e. either sovereign or a well-resourced parent
- Share price

Counterparty credit quality has been maintained consistently in the 'double –A' long term credit rating category or "very high credit quality"<sup>3</sup>:

<b>Date</b>	<b>Amount at quarter end (excluding investments at risk)</b>	<b>Value Weighted Average Credit Rating</b>	<b>Time Weighted Average Credit Rating</b>	<b>Average life of portfolio (days)</b>
31/03/2011	£34.76m	AA+	AA-	82
30/06/2011	£46.00m	AA-	AA-	68
31/08/2011	£46.62m	AA-	AA-	63

During the year specific responses to market events have been taken as follows:

- To protect against the prolonged period of low interest rates investments were made in April for a period of one year with the Nationwide Building Society (£4m) and Barclays Bank Plc (£3m), and in July for 7.5 months with Barclays Bank plc (£3m).
- The Council has responded to the growing problems across the Euro zone by scaling down maturities for new investments with approved UK institutions to initially one year (reduced from two years) and more recently to six months.
- The suggested duration limit for Santander UK plc has been reduced by the Council's treasury advisors from six months to three; however, it is currently proposed to cease using this institution for the time being until matters become more settled. As existing deposits mature funds will be placed with alternative institutions which will mean that it is likely more funds will be held with Government Debt Management Office. The Council will retain an element of potential exposure through investments placed in Money Market Funds.
- Greater use of the Debt Management Office account has been necessary as limits set by Council have been reached with individual banks.
- The Council's credit criteria is being kept under review in light of a wholesale "reassessment" of risk by the rating agencies which may warrant a future review of the Council's minimum credit criteria.
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<sup>3</sup> Fitch Rating Agency definition

## **Investments at Risk**

### **Latest update**

The latest position regarding investments at risk with Icelandic banks is as follows:

Kaupthing Singer & Friedlander (KSF) (claim £1m plus interest)

The administrators have paid six interim dividends to-date totalling 58p in the £ which amounts to £580,000 of principal plus £16,735 interest. formal notice has been received that it is intended to declare a seventh interim dividend to be paid around early October 2011. The sum has not been quantified as yet. The administrator's latest estimate of the likely total level of recovery by creditors is between 78p and 86p in the £ pound.

Landsbanki (claim £3 million + interest) and Glitnir (claim £1 million + interest)

These claims are still subject to legal proceedings in Iceland. The Icelandic District Court ruled on a number of UK local authority test cases that deposits at risk with these banks should be treated as priority in the winding-up process. This decision was subsequently challenged by other creditor groups and is now waiting for the appeals to be heard by the Icelandic Supreme Court.

The Council is engaged in this joint action with all other UK local authority creditors which is being co-ordinated by the local government association. Costs incurred to date amount to £25,631, with a current estimate of total cost to the council of £32,000. There is a risk that in the event the appeal is lost an adverse cost order may be granted which would mean the council bearing a proportion of the appellant's costs too.

On the basis that priority status is upheld, it is anticipated that recovery from these two banks will be 100% from Glitnir, and 95p in the £ for Landsbanki. These rates fall significantly if priority status is not upheld.

Reports are received from the legal advisors and the Local Government Association (LGA) updating on how matters are progressing, which are either circulated or reported on through the regular monthly treasury monitor and reports to the Audit Committee. However, it should be noted that certain matters are subject to legal privilege and cannot be widely circulated or reported.

### **Offers for transfer of claims**

The Council continues to receive from time to time offers to purchase the Council's claims in the administration of the Icelandic banks (mainly in respect of Landsbanki and Glitnir). Such offers have not been entertained for the following reasons:

- Indicative offers are significantly below the value that the council could recover in the event that priority status is upheld for local authority deposits.
- Confidence in the Council's legal position and scope for recovery, especially in light of the Icelandic District Court having ruled in a number of test cases that priority status should apply to UK local authority deposits.
- Collectively, local authorities have been an influential force in the administration of the Icelandic banks. At present it is understood that no UK

local authority has transferred their claims to a third party and clearly it is in the interest of all public sector depositors that this collective stance is retained. Should transfers of claims be made this could dilute the collective influence of the remaining public sector depositors.

However, in taking this approach the council needs to be aware of the risks involved which could result in the council achieving a lower rate of recovery:

- The risk of an adverse legal outcome resulting in priority status not being upheld by the Icelandic Supreme Court – this could result in recovery levels that may be below offers for transfer that have previously been received.
- Recovery values (whether or not priority status is upheld or not) are affected by a range of complex matters: value of asset realisations, performance of financial compensation arrangements between the ‘old’ banks and the ‘new’ banks, foreign currency exchange movements and the outcome of claims for interest and costs.

### **Delegations previously approved**

In response to the possibility that the council would need to respond swiftly to matters relating to the investments at risk, council agreed the following delegation at its meeting on 27<sup>th</sup> September 2010:

*“That the Corporate Director for Finance, in consultation with the Cabinet Member for Efficiency and Resources and, where appropriate, the Council’s Monitoring Officer, be authorised to take whatever action is necessary in order to protect and maximise the recovery of the Council’s investments at risk with the Icelandic Banks”*

### **Treasury Management Prudential Indicators**

The Council’s approved Treasury Management Strategy includes a range of prudential indicators that are designed to contain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of adverse movement in interest rates. these indicators comprised:

- Limits to borrowing activity (authorised limit and operational limit)
- Maximum aggregate amount that will be invested in non-specified investments (taken as the limit on principal sums invested for periods of longer than 364 days)
- Upper limits on fixed and variable rate exposure
- Maturity structures of borrowing
- 

It can be confirmed that there have been no breach of the limits set, nor is it anticipated that the limits will be exceeded over the remainder of the financial year.

### **Investments and Borrowing subject to options**

The Council has no investments at present that are subject to options.

The Council’s outstanding long-term debt is subject to options which can be exercised bi-annually by the lender to vary the interest rate and therefore the Council treats the borrowing as variable rate. Should the lender exercise their option the Council would be entitled to repay the debt without any penalty. The risk of funds not being available should the options be called is mitigated by maintaining investments on a rolling maturity term that coincides with the option call dates.

Call dates are scheduled for March/ September – it is not anticipated that the lender

will exercise their option in the near term due to the current interest rate environment.

### **Treasury Management Budgets and Latest Projection for 2011/12**

The following table provides a summary of the treasury management budgets, including latest projection for the current year.

	2010/11 Actual	2011/12 Budget	2011/12 Latest Projected
<b><u>Investments</u></b>			
Average sum invested	£44.6m	£37.4m	£38.4m
Overall investment return	1.43%	1.25%	1.13%
	<b>£639k</b>	<b>£463k</b>	<b>£433k</b>
<b>Gross Interest receivable</b>			
<b><u>Borrowing (excl leases)</u></b>			
Average debt	£6m	£6m	£6m
		-	
Debt outstanding at 31 <sup>st</sup> March	£6m		£6m
Average interest rate	4.70%	4.70%	4.70%
<b>Interest payable – General Fund</b>	<b>£282k</b>	<b>£282k</b>	<b>£282k</b>
<b>Net Interest receivable</b>	<b>£357k</b>	<b>£181k</b>	<b>£151k</b>

‘Overall investment return’ takes into account investments contracted in earlier years.

Allocation of net interest receivable across funds:

	2010/11 Actual	2011/12 Budget	2011/12 Latest Projected
<b><u>Fund:</u></b>			
General Fund	£170k	£15k	-£1K
Housing Revenue Account	£179k	£151k	£137K
Other Funds	£8K	£15k	£15K
<b>Net Interest receivable</b>	<b>£357k</b>	<b>£181k</b>	<b>£151K</b>

### **Reporting of Treasury Performance**

Since the approval of the treasury management strategy the following reports have

been made:

- Monthly Treasury Management Monitor to Finance Management and the Cabinet Member for Efficiency & Resources
- Treasury Management Monitor to each Audit Committee meeting, forming part of the regular Key Financial Indicators monitored by the Committee.
- Annual report for 2010/11 to Cabinet on 1<sup>st</sup> September 2011 and Council on 19<sup>th</sup> September 2011.

### **Treasury Management Advisors.**

The initial period of the three-year contract with Arlingclose ends in October 2011 the option to extend by a year is currently being considered against the other major service provider, Sector Treasury, which has recently taken over the only other main service provider, Butlers.

### **Treasury Management Training for Members**

A training session on Treasury Management is to be arranged for members. The date is yet to be determined but will be after the appointment of the Treasury Management Advisors, as they will be presenting the session. The session is primarily directed to members of the Cabinet, Audit and Overview and Scrutiny Committees but will be open to all members.

<b>POLICY RECOMMENDATIONS AND REFERENCES - LOCAL GOVERNMENT REFORM CABINET SUB-GROUP – 13<sup>th</sup> October 2011</b>  <b>Polling District and Polling Place Review 2010/11</b>	<b>Agenda No: 7(i)</b>
<b>Portfolio Area: Efficiency and Resources</b> <b>Report Presented by:: Councillor Chris Siddall</b>	
<b>Background Papers:</b>  Local Government Reform Cabinet Sub-group Report– Polling District and Polling Place Review 2010/11 - 13 <sup>th</sup> October 2011 Item 4 (Included in this minute extract)	<b>Public Report</b>
<b>Minute Extract:</b>  <b>Local Government Reform Cabinet Sub-group Report – 13<sup>th</sup> October 2011 – Minute 3</b>  <b>3. <u>POLLING DISTRICT AND POLLING PLACE REVIEW</u></b>  <b>DECISION:</b> That it be <b>recommended to Council</b> that:  1) There is no change to the current Polling Place/Polling District as a result of the review.  2) Council supports the Returning Officer, where practicable, in providing access arrangements in Council buildings to polling places for the physically disabled which are proportionate and appropriate.  3) Council defers the renaming of the Kelvedon ward pending a wider boundary review during 2013/2014.  <b>REASON FOR DECISION:</b> To meet the statutory requirement to review the polling places/polling districts by 30 <sup>th</sup> December 2011	

<b>Polling District and Polling Place Review</b>	<b>LGR Agenda No: 4</b>
<b>Corporate Priority:</b> <b>Report presented by: Allan Reid</b> <b>Report prepared by: Steve Daynes</b>	
<b>Background Papers:</b> Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.  Public consultation responses	<b>Public Report</b>
<b>Options:</b>  None	<b>Key Decision: No</b>
<b>Executive Summary:</b>  <p>Under the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006, every Council in England and Wales must undertake a review of all of the Polling Districts and Polling Places in its area by Friday 30<sup>th</sup> December 2011,</p> <p>Our consultation ran from 14<sup>th</sup> July 2011 to 31<sup>st</sup> August 2011 and invited comments from Local MPs, County and District Councillors, Parish Councils, political parties (agents) and the District Access Group. In addition, notices were placed in local media and on the Council's website inviting members of the public to comment. A summary of all responses has been included within this report.</p> <p>In summary, the District is divided into 109 polling districts, many of which utilise existing Parish boundaries. In the more urban areas, polling districts link together neighbourhoods. Legislation requires that, where practicable, the polling place is located within the polling district.</p> <p>Comments were invited on the suitability and access arrangements to the polling place (building) in which the polling station (room) is located.</p> <p>Members are reminded that the review does not provide an opportunity to re-define polling district boundaries or ward representation. There is, however, opportunity to "sub divide" polling districts where changes to the built environment impact upon the original characteristics.</p>	

**Decision:**

It is **Recommended to Council** that:

- 1) There is no change to the current Polling Place/Polling District as a result of the review.
- 2) Council supports the Returning Officer, where practicable, in providing access arrangements in Council buildings to polling places for the physically disabled which are proportionate and appropriate.
- 3) Council defers the renaming of the Kelvedon ward pending a wider boundary review during 2013/2014.

**Purpose of Decision:**

To meet the statutory requirement to review the polling places/polling districts by 30<sup>th</sup> December 2011

**Corporate implications**

<b>Financial:</b>	None.
<b>Legal:</b>	The review fulfils the Council's legislative requirements.
<b>Equalities/Diversity</b>	The Braintree Local Access Group was invited to contribute to this review.
<b>Customer Impact:</b>	The overriding principle is that all polling places are accessible to the appropriate electorates.
<b>Environment and Climate Change:</b>	Considered.
<b>Consultation/Community Engagement:</b>	The consultation invited responses from Town/Parish Councils, County and District Councillors, Political representatives, Local Access Group and the public via media notification.
<b>Risks:</b>	None
<b>Officer Contact:</b>	Steve Daynes
<b>Designation:</b>	Democracy Manager
<b>Ext. No.</b>	2751
<b>E-mail:</b>	<a href="mailto:Steve.daynes@braintree.gov.uk">Steve.daynes@braintree.gov.uk</a>

## **1.0 Representations Received**

### **Gill Collings, Political agent for Liberal Democrats**

A request that, where practicable, all polling stations have ramps for disabled access. Highlighted the Sports Pavilion at Laburnham Road as a polling station in need of attention.

### **Great Bardfield and Finchingfield Parish Councils**

Polling arrangements for both communities are considered fit for purpose.

### **Gosfield Parish Council**

Satisfied with electoral arrangements which meet the community's requirements.

### **Councillor Finbow**

Confirmed that all polling places located within his Three Fields Ward work well.

### **Councillor Allen**

Satisfied with the existing polling arrangements within her Ward (Halstead St. Andrews) and highlighted the planned closure of Halstead Senior Citizen Centre.

### **The Hennys, Middleton and Twinstead Parish Council**

Satisfied with voting arrangements.

### **Getsingthorpe Parish Council**

The current polling place is central to the electorate and the Council would not propose any changes.

### **Toppesfield Parish Council**

The Parish Council feels that the location and facilities are excellent and fully meet the needs of the electorate.

## **2.0 Comments from Returning Officer**

In general, the designated polling places are located within polling districts and are representative of community identities and their location has worked well in recent elections. There are, of course, a small number of polling places with limited or poor access both for able and disabled electors. In particular, I draw to Members' attention to:

### **Foley House**

There are a number of steps followed by the need to negotiate a corridor before arriving at room used for voting.

### **Private Houses at Middleton and Little Maplestead**

The use of private dwellings is not ideal but does meet particular community needs in providing a polling place within each village. In so doing, however, I am reliant on the goodwill of the owners to make their properties available.

**Sports Pavilion at Laburnham Road:** This Council-owned facility was used for the first time this year and provided the electorate with a polling station following the closure of the Forest Road Community Centre. The disabled access is, however, poor and general facilities are limited as the primary use for the building is as a changing facility for the clubs using the football pitches.

The closure of **Halstead Senior Citizen Centre** in July 2012 will require us to identify an alternative location prior to the Police and Crime Commissioner elections scheduled for 15th November 2012.

### 3.0 **Disabled Access**

This issue introduces a real dilemma as I have a statutory obligation to provide a polling place for each polling district; however, there is often only one location available which is of sufficient size and has adequate transportation facilities. Regrettably, many of the locations used are not in our ownership or control and as such I am reliant on the owners to make their facility available for hire. To require the provision of costly access arrangements for effectively one day per year may well result in the loss of the facility.

I am acutely aware of the difficulties a small number of electors may encounter and with this in mind my staff continue to seek ways of eliminating disabled access issues.

The Electoral Commission, in their guidance to polling station staff, provides the following pragmatic solution where electors are unable to physically enter the polling station:-

#### ***Assistance to electors unable to gain access to the polling station***

*"If an elector is unable to enter the polling station because of any physical disability, the Presiding Officer, after informing any agents present, may take the ballot paper to the elector. After the ballot paper has been marked, the Presiding Officer must place the folded paper into the ballot box immediately. It is essential that the secrecy of the vote is maintained in all circumstances. The ballot box must not be left unattended or removed from the polling station at any time."*

### 4.0 **Other Issues Raised**

#### **Feering Parish Council & Councillor Mitchell:**

Proposal that the Kelvedon ward be renamed to include South Feering as the ward represents both communities. **Returning Officer's comment:** *The renaming of a Ward may be amended by Council resolution following public consultation.*

**Mr & Mrs W.....** (resident – London Road, Braintree) – unhappy as to the inclusion of London Road within the Witham parliamentary constituency.

**Action:** *The Returning Officer has responded to the resident advising that a future review conducted by the Boundary Commission will provide opportunity for their concerns to be considered.*

### 5.0 **Summary**

As a result of this review, it is not intended to recommend any change to the current polling places/polling districts. Further consideration is being given to access to the polling places mentioned in the preceding paragraphs and pragmatic solutions will continue to be sought to make access easier for any elector with a physical disability. To date, no access problems have been reported by any presiding officer or elector.

In concluding this report on electoral arrangements, I would remind Members that as part of the wider modernisation agenda the Boundary Commission for England has indicated that a comprehensive public consultation and review of member representation throughout the District will commence in the spring of 2013. This will include the renaming of wards and form the base for the scheduled 2015 District Council elections.

There is also a review of parliamentary boundaries, which has commenced with the publication of proposed boundary changes. This consultation document can be found on the Council's website. The process of how the Council, as a consultee, will respond to this consultation has yet to be determined.

<p><b>POLICY RECOMMENDATIONS AND REFERENCES - LOCAL GOVERNMENT REFORM CABINET SUB-GROUP – 13<sup>th</sup> October 2011</b></p> <p><b>Review of Parliamentary Constituency Boundaries</b></p>	<p><b>Agenda No: 7(ii)</b></p>
<p><b>Portfolio Area:</b> <b>Report Presented by: Councillor Butland</b></p>	
<p><b>Background Papers:</b></p> <p>Local Government Reform Cabinet Sub-group Report – Review of Parliamentary Constituency Boundaries 13<sup>th</sup> October 2011 – Item 8a (Included in this minute extract).</p>	<p><b>Public Report</b></p>
<p><b>Minute Extract:</b></p> <p><b>Local Government Reform Cabinet Sub-group -13<sup>th</sup> October 2011 – Minute 4</b></p> <p>4. <b><u>REVIEW OF PARLIAMENTARY CONSTITUENCY BOUNDARIES</u></b></p> <p><b>INFORMATION:</b> Members noted the following Returning Officer comments</p> <p>“In the case of the North West Essex constituency, the proposed changes extend the former Saffron Walden constituency to include the Wards of Rayne, Panfield, Gosfield and Three Colnes</p> <p>Given that the electorate in the Uttlesford District Council area of the new North West Essex constituency is greater than the electorate in the Braintree area the Returning Officer for Uttlesford District Council will be responsible for the overall administration of this constituency. This, again is similar to pre 2010 arrangements and as such I can foresee no additional administrative implications.</p> <p>Having considered the Boundary Commission review fully I do not propose to make any representation”.</p> <p><b>DECISION:</b> That it be <b>recommended to Council</b> that:</p> <ol style="list-style-type: none"> <li>1. The Council makes no comment regarding proposed changes to the Parliamentary Boundaries.</li> <li>2. That the comments of the Returning Officer be noted.</li> </ol> <p><b>REASON FOR DECISION:</b> To determine if the Council should respond to the Boundary Commission for England consultation on proposed changes to the Parliamentary Constituency Boundaries.</p>	

<b>Review of Parliamentary Constituency Boundaries</b>	<b>LGR Agenda No: 5</b>
<p><b>Corporate Priority:</b>  <b>Report presented by:</b> Allan Reid  <b>Report prepared by:</b> Steve Daynes</p>	
<p><b>Background Papers:</b>  The Parliamentary Voting System and Constituencies Act 2011</p>	<b>Public Report</b>
<b>Options:</b>	<b>Key Decision: NO</b>
<p><b>Executive Summary:</b></p> <p><b>Background</b></p> <p>The Parliamentary Voting System and Constituencies Act 2011 requires all four Boundary Commissions covering the UK to review Parliamentary constituency boundaries and report to Government by October 2013. The outcome of the reviews will form the basis for the 2015 Parliamentary boundaries.</p> <p>The objective of the legislation is to create constituencies where the elected MP's represent between 72,810 and 80,473 electors. This will effectively reduce the number of MP's across the UK from 650 to 600. In England this will result in a reduction from 533 to 502 MPs.</p> <p>The Boundary Commission for England are currently seeking views on their proposals</p> <p>The closing date for consultation is 5<sup>th</sup> December 2011.</p> <p><b>Current Boundaries</b></p> <p>Currently there are two constituencies for the electorate of the Braintree District. The <b>Braintree</b> constituency consists of the towns of Braintree and Halstead together with the rural areas to the north such as Sible Hedingham, the Colnes, Stour Valley and Bumpstead. The <b>Witham</b> constituency covers the area south of the town of Braintree and included Witham, Black Notley, Hatfield Peverel, Coggeshall, Kelvedon and Silver End. In addition it included Wards from both Colchester (Marks Tey and Stanway) and the rural area of North Maldon</p> <p><b>Proposed Boundaries</b></p> <p>For Braintree District the proposals create two new Parliamentary constituencies. The proposed <b>Braintree and Witham</b> constituency will represent the South of the District which includes the towns of Braintree and Bocking, Witham and Coggeshall. The <b>North West Essex</b> constituency will represent the North of the District including Halstead, Hedingham, Panfield, Rayne and the Colnes.</p>	

### Returning Officer comment

In the case of the North West Essex constituency, the proposed changes extend the former Saffron Walden constituency to include the Wards of Rayne, Panfield, Gosfield and Three Colnes

Given that the electorate in the Uttlesford District Council area of the new **North West Essex** constituency is greater than the electorate in the Braintree area the Returning Officer for Uttlesford District Council will be responsible for the overall administration of this constituency. This, again is similar to pre 2010 arrangements and as such I can foresee no additional administrative implications.

Having considered the Boundary Commission review fully I do not propose to make any representation.

### Decision:

It is **Recommended** to Council that:

- 1 The Council makes no comment regarding proposed changes to the Parliamentary Boundaries.
- 2 That Members note the Returning Officer's comments.

### Purpose of Decision:

To determine if the Council should respond to the Boundary Commission for England consultation on proposed changes to the Parliamentary Constituency Boundaries.

### Corporate implications

<b>Financial:</b>	None.
<b>Legal:</b>	None
<b>Equalities/Diversity</b>	Considered
<b>Customer Impact:</b>	Considered
<b>Environment and Climate Change:</b>	Considered.
<b>Consultation/Community Engagement:</b>	Public awareness through local media, website and public displays at Witham and Halstead Libraries
<b>Risks:</b>	None
<b>Officer Contact:</b>	Steve Daynes
<b>Designation:</b>	Democracy Manager
<b>Ext. No.</b>	2751
<b>E-mail:</b>	<a href="mailto:Steve.daynes@braintree.gov.uk">Steve.daynes@braintree.gov.uk</a>

<b>POLICY RECOMMENDATIONS AND REFERENCES</b> <b>CABINET - 24<sup>th</sup> October 2011 -</b> <b>Loan to Braintree Town Football Club</b>		<b>Agenda No: 8(i)</b>
<b>Portfolio Area: Efficiency and Resources</b> <b>Report Presented by:: Councillor Chris Siddall</b>		
<b>Background Papers:</b>  Cabinet Report – Loan to Braintree Town Football Club - 24 October 2011 Item 6a (included in this minute extract).		<b>Public Report</b>
<b>Minute Extract:</b>  <b>Cabinet 24<sup>th</sup> October 2011 – Minute 50</b>  <b>50. <u>LOAN TO BRAINTREE TOWN FOOTBALL CLUB</u></b>  <b>DECISION:</b> That it be <b>recommended to Council:</b>  That the Council agrees to lend up to £150,000 to Braintree Town Football Club under the following terms and conditions:  <ol style="list-style-type: none"> <li>1. Payment to the Club will only be made on presentation of the invoices detailing the work that has been carried out.</li> <li>2. Interest will be charged at 2.5% above the Bank of England base rate (currently 0.5%) on the full amount owed.</li> <li>3. A charge will be put on Braintree Town Football Club's land and buildings requiring them to be sold if the Club defaults on the repayments or is placed in administration or liquidation</li> <li>4. Repayments to the Council of capital and interest will be made by the Club monthly over a maximum of 10 years.</li> </ol> <p>(Subject to confirmation that there are no other charges currently held against the Club's land and buildings).</p> <p><b>REASON FOR DECISION:</b> To generate an increased return on the Council's investments and assist Braintree Town Football Club to bring their ground up to standard, so that they can remain in the league, bringing increased benefits to the local community and local economy.</p>		

<b>Loan to Braintree Town Football Club</b>		<b>Cabinet Agenda No: 6a</b>
<b>Corporate Priority:</b> We deliver excellent, cost effective and valued services <b>Portfolio Area:</b> <b>Report presented by:</b> Cllr Graham Butland <b>Report prepared by:</b> Chris Fleetham		
<b>Background Papers:</b>		<b>Public Report</b>
<b>Options:</b>  To agree or not to agree the loan of up to £150,000 to Braintree Town Football Club		<b>Key Decision: No</b>
<b>Executive Summary:</b>  Braintree Town Football Club need to improve their ground to enable them to stay in the Blue Square Premier League at a cost of £175,000.  They have approached the Council to see if the Council could provide any financial assistance. As a result of discussions it is proposed to grant Braintree Town Football Club a loan of up to £150,000 to enable the work to be completed.		
<b>Decision:</b> <b>That it be recommended to Council:-</b>  To agree to lend up to £150,000 to Braintree Town Football Club under the following terms and conditions: <ol style="list-style-type: none"> <li>1) Payment to the Club will only be made on presentation of the invoices detailing the work that has been carried out.</li> <li>2) Interest will be charged at 2.5% above the Bank of England base rate (currently 0.5%) on the full amount owed.</li> <li>3) A charge will be put on Braintree Town Football Club's land and buildings requiring them to be sold if the Club defaults on the repayments or is placed in administration or liquidation.</li> <li>4) Repayments to the Council of capital and interest will be made by the Club monthly over a maximum of 10 years.</li> </ol> (Subject to confirmation that there are no other charges currently held against the Club's land and buildings).		

**Purpose of Decision:**

To generate an increased return on the Council's investments and assist Braintree Town Football Club to bring their ground up to standard, so that they can remain in the league, bringing increased benefits to the local community and local economy.

**Any Corporate implications in relation to the following should be explained in detail**

<b>Financial:</b>	Detailed in the report
<b>Legal:</b>	The Council can make the loan under the well-being power conferred upon local authorities by Section 2 of the Local Government Act 2000
<b>Equalities/Diversity</b>	N/A
<b>Customer Impact:</b>	N/A
<b>Environment and Climate Change:</b>	N/A
<b>Consultation/Community Engagement:</b>	Discussions have been held with the Directors of Braintree Town Football Club.
<b>Risks:</b>	The Club is unable to meet the repayments forcing the sale of the land and buildings to recover the Council's funds.
<b>Officer Contact:</b>	Chris Fleetham
<b>Designation:</b>	Corporate Director
<b>Ext. No.</b>	2800
<b>E-mail:</b>	<a href="mailto:chrfl@braintree.gov.uk">chrfl@braintree.gov.uk</a>

## **1.0 Introduction**

As a result of Braintree Town Football Club's promotion to the Blue Square Premier League earlier this year, the Club is required by the Football Association to bring their ground up to an 'A' grading by 31<sup>st</sup> March 2012.

They have assessed the work that is required as totalling £174,360 as detailed in Appendix A.

The Club has raised £25,000 towards these works and has completed the items on Appendix A that were due to be completed by 13<sup>th</sup> August 2011.

The Club has now approached the Council to see if we would be willing to lend them up to £150,000 to enable the works to be completed.

If the works are not completed by 31<sup>st</sup> March 2012, the Club would be automatically relegated next season.

The Club owns the freehold of the land of approximately 4.5 acres and leases the adjacent 5 acres for its training ground from the Council.

The proposed new stadium location at Panfield Lane is unlikely to be developed for several years to come.

The Club has started well this season and is seeing significantly increased crowds at its ground which is a major community facility. Its current success is raising the profile of Braintree and is bringing benefits to the local economy.

However, in discussion with the Club, it was made clear to them, that any loan would be on a commercial basis and interest would be charged at a rate in excess of the rate we are currently getting on our investments.

Planning permission is required for some of the improvements and this is currently going through the normal process, with a decision being made within the next 6 to 8 weeks.

## **2.0 Financial Position**

The funding of £150,000 for a secured loan can be met from the Council's revenue balances and the investment return will be greater than current investment rates.

The Club has also produced a cash-flow statement showing that based on their estimates there will be sufficient funds to repay the instalments

## **3.0 Legal Position**

The Council can make the loan under the well-being power conferred upon local authorities by Section 2 of the Local Government Act 2000 ("**the 2000 Act**"). This section provides:

*"Every local authority are to have power to do anything which they consider is likely to achieve any one or more of the following objects –*

- (a) the promotion or improvement of the economic well-being of their area;*
- (b) the promotion or improvement of the social well-being of their area;*
- (c) the promotion or improvement of the environmental well-being of their area."*

Section 2(4) of the 2000 Act makes it clear that the well-being power includes a power to incur expenditure, to provide financial assistance and to provide staff, goods, services or accommodation to any person. In exercising this power the Council must have regard to meeting at least one of the objectives of the community strategy. The report refers to the increased benefits to the community and local economy which contribute to meeting at least two of the objectives in the community strategy.

#### **4.0 Proposal**

The terms of the loan would be as follows:-

- 1) Payment to the Club will only be made on presentation of the invoices detailing the work that has been carried out.
- 2) Interest will be charged at 2.5% above the Bank of England base rate (currently 0.5%) on the full amount owed.
- 3) A charge will be put on Braintree Town Football Club's land and buildings requiring it to be sold if the club defaults on the repayments or is placed in administration or liquidation.
- 4) Repayments to the Council of capital and interest will be made by the Club monthly over a maximum of 10 years.

The offer would be subject to confirmation that there are no other charges currently held against the Club's land and buildings.

<b>POLICY RECOMMENDATIONS AND REFERENCES</b> <b>CABINET - 24<sup>th</sup> October 2011 -</b>  <b>Review of Treasury Management Investment Policy</b>		<b>Agenda No: 8(ii)</b>
<b>Portfolio Area: Efficiency and Resources</b> <b>Report Presented by:: Councillor Chris Siddall</b>		
<b>Background Papers:</b>  Cabinet Report – Review of Treasury Management Investment Policy - 24 October 2011 Item 6a (included in this minute extract).		<b>Public Report</b>
<b>Minute Extract:</b>  <b>Cabinet 24<sup>th</sup> October 2011 – Minute 51.</b>		
<b>51. <u>REVIEW OF TREASURY MANAGEMENT INVESTMENT POLICY</u></b>		
<b>DECISION:</b> That the following changes to the Council’s investment policy <b>be recommended to Council:</b>		
1. That a two tier creditworthiness criteria and set different financial and duration limits be introduced as follows:		
	<b>Tier 1 – Institutions that meet the Council’s current creditworthiness criteria</b>	<b>Tier 2 – Institutions that meet the Councils minimum short-term &amp; support rating, but have a long-term rating of at least A- (or equivalent)</b>
Maximum Limit	The higher of 15% of cash balances or £5 million.	£3 million
Maximum duration	As per current limits (modified from time to time by any advice to restrict to shorter duration from Arlingclose)	Up to 1 month
2. That the maximum exposure to “triple A rated” Money Market Funds be increased to £12 million and that the number of active funds be increased to four.		

3. That the use of the Co-operative Bank Public Sector Reserve account (or overnight/ next working day deposits) be maintained for cash that may be required for short-medium term operational/ liquidity requirements and up to a maximum of £5 million.

**REASON FOR DECISION:** To introduce greater flexibility in the investment policy in response to changes in the credit rating of UK financial institutions without compromising the principal treasury management objectives of security and liquidity.

<b>Review of Treasury Management Investment Policy</b>		<b>Cabinet Agenda No: 6b</b>
<b>Corporate Priority:</b> We deliver excellent, cost effective and valued services <b>Portfolio Area:</b> Efficiency and Resources <b>Report presented by:</b> Cllr Chris Siddall <b>Report prepared by:</b> Trevor Wilson, Head of Finance		
<b>Background Papers:</b>		<b>Public Report</b>
Treasury Management Strategy 2011/12		
<b>Options:</b>		<b>Key Decision: No</b>
To agree/ not agree to the proposed changes to the investment policy		
<b>Executive Summary:</b>  <p>The credit rating agency Moody's has recently released results of its review of UK financial institutions the outcome of which has been a downgrading of the credit rating of 12 UK institutions. Included within these downgrades were institutions used by the Council for placing deposits and operating instant/ short-term access accounts. Two institutions, the Royal Bank of Scotland or RBS and the Nationwide Building Society, which the Council has £6 million on deposit with each, have now fallen below the Council's creditworthiness criteria. Immediate action taken was to withdraw the funds from the RBS account and transfer to Santander UK Plc. However, funds placed with Nationwide are on fixed terms maturing in January and March 2012. These deposits will remain in place until their contracted maturity date at which time funds will be reinvested according to the approved investment policy in place at that time.</p> <p>The consequences of the tighter credit profile of institutions means that without changes to the existing investment policy it is likely there will be a need to use the UK Government Debt Management Office (DMO) account facility more and receive interest at 0.25%. Alternative investments in the market or through instant access accounts currently yield interest of between 0.50% and 1.21% based on maximum duration limits in operation at present. Clearly the use of the DMO whilst seen as a "safe haven" has a cost in terms of reduced revenue income.</p> <p>A review of our investment policy has been undertaken in conjunction with the Council's treasury management advisors, Arlingclose, in response to these market events. Options considered are both instant/ short-term and longer-term, and include:</p> <ul style="list-style-type: none"> <li>• Do nothing and accept that higher balances will be held with the DMO at 0.25%.</li> <li>• Increase the maximum allowable with a single institution that meets the Council's creditworthiness criteria</li> <li>• Increase the maximum exposure permitted to "triple A" rated money market funds and increase the number of active funds to four.</li> <li>• Maintain the use of the Co-operative Bank Public Sector Reserve account to hold up to a maximum of £5 million for short-medium term operational/ liquidity</li> </ul>		

requirements. The Co-operative Bank remains an exception within the investment policy as it does not meet the Council's creditworthiness criteria, but is the current supplier of banking services to the Council.

- Introduce a two tier credit criteria and assign different investment limits over amounts and duration.
- Reduce cash balances by seeking to negotiate early exit from the Council's £6 million of borrowing. This would incur a penalty, currently estimated at £1.9 million (total to be repaid £7.9 million). At present the penalty is considered too high to offer value for money whilst interest rates remain low.

Longer term options:

- Consider introducing alternative investment instruments into the portfolio. This includes UK treasury bills (as a better alternative to the DMO whilst staying with the UK Government), and certificates of deposit whereby issuers include HSBC and Standard Chartered banks, both of whom are rarely direct deposit takers from local authorities. These instruments would require the Council to operate a separate custodian facility.
- Review the Council's overall creditworthiness criteria to take account of the reassessment of "risk" by the rating agencies that are resulting in a general downward movement in ratings.

The longer term options will be considered as part of the strategy formulation for the forthcoming financial year.

## Decision:

To recommend to Council the following changes to the investment policy:

1. Introduce a two tier creditworthiness criteria and set different financial and duration limits as follows:

	<b>Tier 1 – Institutions that meet the Council's current creditworthiness criteria</b>	<b>Tier 2 – Institutions that meet the Council's minimum short-term &amp; support rating, but have a long-term rating of at least A- (or equivalent)</b>
Maximum Limit	The higher of 15% of cash balances or £5 million.	£3 million
Maximum duration	As per current limits (modified from time to time by any advice to restrict to shorter duration from Arlingclose)	Up to 1 month

2. To increase the maximum exposure to "triple A rated" Money Market Funds to £12 million and to increase the number of active funds to four.

To maintain use of the Co-operative Bank Public Sector Reserve account (or overnight/ next working day deposits) for cash that may be required for short-medium term operational/ liquidity requirements and up to a maximum of £5 million.

**Purpose of Decision:**

To introduce greater flexibility in the investment policy in response to changes in the credit rating of UK financial institutions without compromising the principal treasury management objectives of security and liquidity.

**Any Corporate implications in relation to the following should be explained in detail**

<b>Financial:</b>	Without changes to the current investment policy there will be a need to place greater funds with the Debt Management Office which will impact on the revenue budget through lower interest income.
<b>Legal:</b>	Council must approve the investment policy and any changes before it can be applied.
<b>Equalities/Diversity</b>	None
<b>Customer Impact:</b>	None
<b>Environment and Climate Change:</b>	None
<b>Consultation/Community Engagement:</b>	None
<b>Risks:</b>	The Treasury Management Policies, Practices, and Procedures are intended to manage the inherent risks within the treasury management function. However, no investment is without any risk.
<b>Officer Contact:</b>	Trevor Wilson
<b>Designation:</b>	Head of Finance
<b>Ext. No.</b>	2801
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## **Review of the Council's Investment Policy**

### **Background**

On Friday 7 October the credit rating agency Moody's released details of its review of senior debt and deposit ratings of UK financial institutions. The outcome was that the credit rating of 12 UK financial institutions was downgraded, including the following institutions that the Council currently use for instant access accounts and term deposits:

- Royal Bank of Scotland
- Bank of Scotland/ Lloyds TSB
- Santander UK Plc
- Nationwide Building Society
- Co-operative Bank

The remaining 7 institutions downgraded by Moody's were building societies that are not used by the Council.

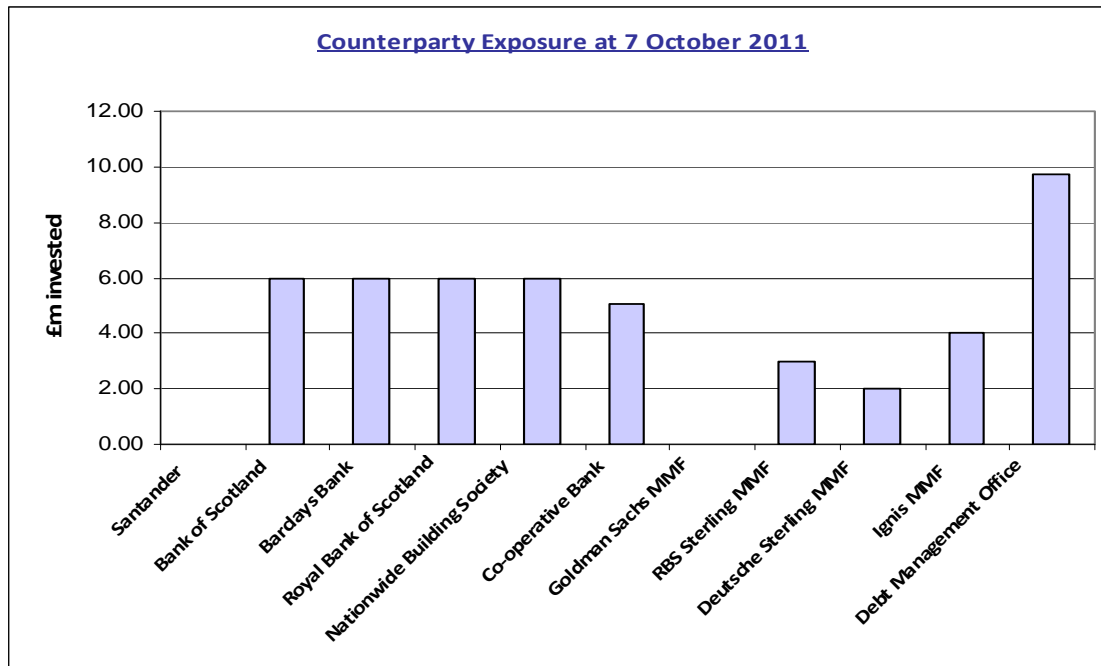
In announcing the downgrades Moody's stated that it believed the UK Government was less likely to support institutions, however, it was emphasised that the downgrades did not "reflect a deterioration in the financial strength of the banking system".

The Council's approved creditworthiness criteria for selecting investment counterparties is:

<b>Rating</b>	<b>Comment</b>
Short-term rating of F1 or F1+ (capacity for repayment over 13mth horizon)	Strongest categories
Long-term rating of at least A+	High credit quality with expectation of low risk i.e. institution is assessed as having strong capacity to meet financial commitments
Support rating (from sovereign/ strong parent) of either 1 or 2	Extremely high and high categories

The assessment is made using the lowest rating assigned by Fitch, Moody's, or Standard & Poor's

The Council's investment portfolio of £47.79 million at 7 October was distributed as follows:



### **Impact on the Council's Investment Portfolio**

The impact of the Moody's downgrade has now meant that the following institutions no longer meet the Council's minimum credit rating:

- Royal Bank of Scotland (RBS)
- Nationwide Building Society

The Council held £6 million with RBS in an instant access account. Funds with the Nationwide are held in two term deposits of: £2 million fixed to 3 January 2012, and £4 million fixed to 1 March 2012.

With regards to the Co-operative Bank, this institution has always been an exception approved within the Council's investment policy recognising that whilst it did not meet the credit criteria, as the Council's supplier of banking services, cash would be held with the bank overnight/ to next working day due to operational liquidity requirements.

In order to comply with the Council's current investment policy the following actions have been taken:

- All funds have been withdrawn from the RBS instant access account and the monies transferred into an instant access account held with Santander UK Plc.
- In line with the Council's investment policy regarding action to be taken following rating downgrades, the funds held with the Nationwide Building Society will be left until their contracted maturity date i.e. there is currently no perceived need to seek early repayment.

The RBS Sterling Money Market Fund (a "triple A" rated fund) remains unaffected by the RBS downgrade.

The action taken is in accordance with the current advice received from the Council's treasury management advisors, Arlingclose, about suitable counterparties and suggested investment duration. However, regarding Santander UK Plc, amounts have been placed on instant access terms rather than applying the maximum limit of 3 months that Arlingclose are currently advising clients they would be comfortable with.

A consequence of the tightening credit risk profile is that greater use of the UK Government Debt Management Office Account (DMO) has been necessary. The balance held with the DMO at 7 October was £9.75 million and this has increased to £11 million less than a week later. The current rate of interest paid by the DMO is 0.25%, which compares unfavourably to other rates available for the maximum period that deposits are currently being placed:

Period	Base	7-day	1mth	3mth	6mth
Current Bid	0.50	0.60	0.55	0.78	1.21

Market rates: source: Arlingclose

In addition the Council receive the following rates of interest on specific accounts/overnight placements:

- RBS call account 0.90%
- Santander Instant Access account 0.75%
- Co-operative Public Sector Reserve 0.5625%
- Money Market Funds average 0.70%

Whilst the DMO could be regarded as ultimate "safe haven" for the Council's funds this clearly has an impact on the interest that can be earned to support the Council's revenue budget.

### **Premature Repayment of Debt**

The Medium-Term Financial Strategy provided for the early repayment of the Council's outstanding borrowings of £6 million. At the time the estimated penalty that would have to be paid by the Council was £1.15 million. This had the advantage of:

- Reducing the interest cost of debt – the loans currently run at an average rate of 4.7%.
- Reducing the Council's exposure to investment risks by reducing cash balances by £7.15 million.

Due to the current low interest rate environment it is now estimated that the penalty for early repayment of these loans would be £1.961 million, which Arlingclose has advised does not make the proposed repayment attractive at this time. The position will continue to be monitored but the anticipated continuation of the low level of interest rates suggest it may be a year or more before the position improves. A consequence of not repaying these loans is the impact on the financial profile for 2012/13, which anticipated a saving of £139,000, and also means that cash balances will be higher resulting in continued exposure to investment risk.

## Options to the Council

There are a number of short and long term options available to deal with the current changes in credit ratings.

### **Immediate/ Short-term:**

- Maintain existing creditworthiness criteria and accept that the DMO will be used more. As outlined above, this may be viewed as the safest option in time of market uncertainty; however, this does have a financial impact through the low interest of 0.25% being offered.
- Increase the in-year maximum allowable with a single institution that meets the Council's creditworthiness criteria. The current maximum is £6 million. A change could be made to adopt the **higher** of 15% or £5 million (rounded to nearest £half million). This would allow higher levels to be placed with individual counterparties in-year when cash balances are generally higher. For example, the current level of cash is around £48 million which would mean a counterparty limit of £7 million, whereas the forecast year-end cash balance is currently £24 million against which the limit of £5 million would apply.
- Increasing the maximum exposure to "triple A" rated money market funds (MMFs). The Council currently uses three MMFs: Deutsche Managed Sterling Fund, Ignis, and RBS Global Treasury Fund. The Council also has an account with the Goldman Sachs Asset Management fund, which at the direction of the Corporate Director is currently not used. The current limit on MMFs is £4 million per individual fund, aggregate £9 million. The aggregate limit could be increased, say to £12 million, but linking this to increasing the number of active funds to four so that diversification could be achieved through spreading exposure (rather than increasing amounts held with existing funds).
- To maintain use of the Co-operative Bank Public Sector Reserve account to hold cash funds that may be required for short-medium term operational/ liquidity requirements for amounts up to a maximum of £5 million.
- Introduce a two tier credit criteria and to assign different limits to those institutions falling within tier two. For example the following could apply:

	<b>Tier 1 – Institutions that meet the Council's current creditworthiness criteria</b>	<b>Tier 2 – Institutions that meet the Council's minimum short-term &amp; support rating, but have a long-term rating of at least A- (or equivalent)</b>
Maximum Limit	As per current limits of £6m or modified to the higher of 15% of cash balances or £5 million, if recommendation in this report is approved.	£3 million
Maximum duration	As per current limits (modified from time to time by any advice to restrict to shorter duration received from Arlingclose)	Up to 1 month

- To reduce cash balances by seeking to negotiate early exit from the Council's borrowing. However, as stated above the cost of this is currently seen as too high to offer value for money.

### **Longer term:**

- The Council could look at alternative investment instruments. For example, short-term UK treasury bills could be used as an alternative to the DMO. The counterparty would still be the UK Government but yields (or returns) are better than the DMO but less than market rates for the same duration periods. Another alternative would be to add certificates of deposits (or CDs) issued by institutions meeting the Council's creditworthiness criteria. This may open up opportunity to access HSBC and Standard Chartered, both of whom are rarely seen as deposit takers but do issue CDs. In order to access these markets the Council would need to open a custodian facility.
- To review the Council's overall creditworthiness criteria with a view to modifying criteria in line with the overall reassessment of risk and resultant rating changes being undertaken by the three leading credit rating agencies.

These longer term options will be considered during the treasury management strategy formulation for the forthcoming financial year and will be explored further with Arlingclose before proposals are made to Council.

### **Recommendations**

The following changes are recommended to Council:

1. Introduce a two tier creditworthiness criteria and set different financial and duration limits as follows:

	<b>Tier 1 – Institutions that meet the Council's current creditworthiness criteria</b>	<b>Tier 2 – Institutions that meet the Council's minimum short-term &amp; support rating, but have a long-term rating of at least A- (or equivalent)</b>
Maximum Limit	The higher of 15% of cash balances or £5 million.	£3 million
Maximum duration	As per current limits (modified from time to time by any advice to restrict to shorter duration from Arlingclose)	Up to 1 month

2. To increase the maximum exposure to "triple A rated" Money Market Funds to £12 million and to increase the number of active funds to four.

<b>POLICY RECOMMENDATIONS AND REFERENCES</b> <b>CABINET - 24<sup>th</sup> October 2011 –</b>		<b>Agenda No: 8(iii)</b>
<b>Member Updates- Braintree Town Hall Capital Project – Additional Funding Requirement</b>		
<b>Portfolio Area: Communities</b> <b>Report Presented by:: Councillor Butland</b>		
<b>Background Papers:</b>		<b>Public Report</b>
<b>Member Updates- Braintree Town Hall Capital Project – Additional Funding Requirement (included in this minute extract).</b>		
<b>Minute Extract:</b>		
<b>Cabinet 24<sup>th</sup> October 2011 – Minute 55</b>		
<b>55. <u>CABINET MEMBERS' UPDATES</u></b>		
<b>INFORMATION:</b> Cabinet Members provided the following updates on issues within their portfolios:		
<b>Councillor Beavis, Cabinet Member for Communities</b>		
<b>Braintree Town Hall Capital Project – Additional Funding Requirement.</b> Councillor Beavis tabled a report on proposed additional funding for the Town Hall Capital Project. The proposed funding is to cover major repair work to the Clock Tower over and above that budgeted for along with improvements to the kitchen.		
<b>DECISION:</b> That it be <b>recommended to Council</b> that £104,000 is allocated from capital resources for the repair of the Town Hall Clock Tower and provision of a new kitchen at the Town Hall Centre.		

## **Urgent Item for Cabinet on 24th October 2011**

### **Braintree Town Hall Capital Project - Additional Funding Requirement**

#### **Portfolio Area: Communities**

#### **Background**

There is currently an approved Town Hall Capital budget of £224K to fund the current refurbishment and repair work at the Town Hall.

However, it has come to light in the course of the works that the Clock Tower is in need of major repair over and above that budgeted for. The work has been assessed by English Heritage and there is the need for essential structural repairs to the steel frame and stone infrastructure of Clock Tower, caused by the rusting frame expanding and cracking the stonework. There is also the need for maintenance of the clock mechanism, repairs to the internal Clock Tower roof and decoration of the large external plaque. It is more cost-effective to do this work whilst the scaffolding is still up at the Town Hall and before the more damaging winter weather. It is estimated that this work will cost £93,000.

In addition, there is benefit whilst the contractor is on-site to improve the kitchen facilities at the Town Hall and provide a new kitchen on the ground floor. The previous tourism stock room has been identified as an option for a kitchen, in addition to the small existing first floor kitchen. This facility would be available for caterers and the use of groups hiring the building. This will increase the opportunity for marketing the Town Hall and generating income from its hire. This extra kitchen work was not in the original scope, but it is thought more cost effective to include it now whilst the contractor is on-site. The estimated cost of this work is £11,000.

Therefore, I am informing Cabinet of my intention to request Council approval on the 7th November for an additional £104,000 to be allocated to the Town Hall project for the purposes above. This funding will come from capital resources. I would ask Cabinet to support this essential capital funding.

Cabinet Member: Cllr Mrs Joanne Beavis

#### **Recommendation to Council**

**That £104,000 is allocated from capital resources for the repair of the Town Hall Clock Tower and provision of a new kitchen.**

<b>LEADER'S REPORT TO COUNCIL</b>		<b>Agenda No: 10(i)(a)</b>
<b>REPORT COVERS ACTIVITY ENDING 25<sup>th</sup> October 2011</b>		
<b>Portfolio Area:</b>	<b>Overall Vision and Strategic Direction</b>	
	<b>Portfolio covers:-</b>  <b>Strategic Partnerships – National, Regional, County and District</b> <b>Local Strategic Partnership</b> <b>External Relationships (including PR and reputation)</b> <b>Corporate Governance</b>	
<b>Report presented by:</b>	<b>Cllr Graham Butland – Leader</b>	
<b>Background Papers:</b>		<b>Public Report</b>
<b>Options:</b>		<b>Key Decision: No</b>
<b>REPORT COVERS ACTIVITY ENDING 25<sup>TH</sup> OCTOBER 2011:</b>		
<ol style="list-style-type: none"> <li> <b><u>1. Meeting with the Directors of Braintree Town Football Club – 29<sup>th</sup> September 2011</u></b>   <p>Together with Cllr Siddall, Chris Fleetham and Jon Hayden, I met with the Directors of Braintree Town Football Club to discuss the work that the club would need to carry out to their ground to maintain their current league status. We also discussed the financing of the work and what conditions would attach to any loan facility offered by the Council. The outcome of this meeting was reported to the Cabinet meeting held on 24<sup>th</sup> October.</p> </li> <li> <b><u>2. EELGA meeting on Localisation of Business Rates – 11<sup>th</sup> October 2011</u></b>   <p>I attended this EELGA seminar to discuss localisation of business rates and other key issues. Senior civil servants from CLG and HM Treasury were on hand to take feedback and help explain the Government's current thinking. CLG were keen to stress that the Government was in genuine listening mode over how the scheme might work – but that it was a clear commitment that the localisation would take place. Strong views were advanced about some of the apparent deficiencies of the scheme currently out for consultation. Particular points were raised about the tier split (such as whether the % split between county and districts would provide real incentives at the district level to embrace extra growth); the double impact of a business going bust on both the business rates and council tax benefits; the mechanics of agreeing to give business rate reliefs; potential 'beggar my neighbour' strategies of zero rates</p> </li> </ol>		

to businesses moving to a locality; frequency of rebasing; and creation of a complex, opaque system. CLG also observed that there was a trade-off between simplicity of the system and fairness of the system – they could not deliver both at the same time. Members put forward the view that the system should support areas that have the right conditions for growth, thereby increasing receipts into the system to support struggling areas.

The meeting then moved onto the contentious issue of the localisation of council tax benefit. Members at the meeting were highly critical of this proposal. They could see no upside to taking this responsibility on from central Government, and extensive reputational and practical risks. Amongst these were the disproportionate impacts on parts of the electorate, once protection for pensioners and vulnerable groups was taken into account; likely errors by claimants in form-filling – and the support of councils needed around this; increased fraud; and businesses going bust as mentioned above. Members also highlighted the unrealistic timetable for implementation. Members felt that they already supplied the data to central Government that would enable it to assess the impacts of the 10% cut required to the benefit bill, and deliver that nationally. I understand that the topic was a key item discussed at the national LGA Executive on the 13th October, with similar sentiment.

The meeting also had an update on the latest position on pay and pensions.

### **3. Meeting with Cllr Peter Martin, Leader of Essex County Council – 14<sup>th</sup> October 2011**

I met with Cllr Martin to discuss matters of common interest to both Councils, including:-

- (i) The Establishment of a Joint Locality Board for Braintree  
We agreed to set up a board to further improve joint working between the two authorities. The Board will initially consist of Braintree District Council Cabinet members and Essex County Council Divisional members. The first task of the new Board will be to agree the Terms of Reference and to determine the governance arrangements. Both Cllr Martin and I are keen that the meetings are eventually held in public. An informal first meeting will be held on 11<sup>th</sup> November and I will report the outcomes of that meeting to members.
- (ii) Community Place Budgets  
Both of us are keen to explore the possibility of engaging in the Government's trials for Community Place Budgets. We recognised that the number of national pilots is likely to be small and that we may not be successful in any bidding round.
- (iii) Council Tax 2012-13  
We shared with each other the progress that we were making on budget plans for 2012-13. I emphasised the need for both tiers of local government to consult with each other on any budget proposals that would transfer resource requirements from one tier to the other with no apparent gain for Council Taxpayers.

#### 4. Highways Winter Provision

I accepted an invitation to visit the Springfield Highways Depot of Essex County Highways on 25<sup>th</sup> October to hear about the plans for the coming winter. The depot is one of seven depots located across the county where final preparations are currently being made for the winter period.

ECC has been working closely with its contractors to ensure that salt stocks are back at full capacity in time for the start of the season. This year additional orders have been placed to ensure that the county has sufficient supplies in the event of another harsh winter.

The county's fleet of 65 winter gritters will be ready to mobilise throughout the winter season, with 120 personnel on call over a 24 hour period. ECC is required to focus its gritting resources on keeping major roads clear, so it operates a precautionary salting network. This includes all 'A' and 'B' roads, access routes for emergency services, rural link roads and major public transport routes.

Residents can check which roads will be gritted by visiting [www.essex.gov.uk/winter](http://www.essex.gov.uk/winter).

Cllr Graham Butland  
Leader

<b>Contact:</b>	Cllr Graham Butland
<b>Designation:</b>	Leader of the Council
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<b>CABINET MEMBER REPORT TO COUNCIL</b>		<b>Agenda No: 10(i)(b)</b>
<b>REPORT COVERS ACTIVITY ENDING Monday 24<sup>th</sup> October 2011.</b>		
<b>Portfolio Area: COMMUNITIES.</b>		
<p><b>Portfolio covers:-</b> Leisure and sport.  Culture.  External funding.  Equalities  Community safety.  Voluntary sector relationships.  Local community engagement.  Community facilities and support.  Museum services.  Community transport.  Safeguarding – Children, young  People and Vulnerable adults.</p>		
<b>Report presented by: Cllr Joanne Beavis</b>		
<b>Background Papers:</b>		<b>Public Report</b>
<p>Our plans 2010 – 2011.</p> <p>Corporate strategy 2008-2012.  2011/12 budget proposals.</p> <p>Quarterly Performance Management Report.</p> <p>Cabinet papers 9<sup>th</sup> June 2011.</p> <p>Cabinet papers 18<sup>th</sup> July 2011</p>		
<b>Options:</b>		<b>Key Decision: No</b>
<p><b><u>Leisure and Sport</u></b></p> <p>The Leisure Project Board has now been set up. I have invited the following Councillors to join me on the board:</p> <p>Councillors:Abbott, Barlow, Bebb, Elliott, Mann.,Parker and Tattersley.</p> <p>Contact by a series of regular bulletins. Bulletin 1. (August 2011) has already been circulated. In addition, I have been invited to attend Witham Town Council on a bi-monthly basis to take questions and answers.</p>		

## **Background**

On the 9th June 2011, Cabinet approved delegated powers to the Cabinet Member for Communities, in consultation with the Corporate Director, to make the decisions outlined briefly below regarding the Witham Leisure Centre project and the procurement of the new Leisure Management Contract (these two projects form the leisure programme) through an established Leisure Project Board. The first meeting of the Board was in August 2011.

## **Witham Leisure Centre**

Finalise the specification for the design and build tender.

Tender evaluation and outcomes.

Engage with customers and stakeholders.

Risk Management.

## **New Leisure Contract**

Tender evaluation and outcomes.

Transfer of leisure facilities to schools and community groups.

New joint-use agreements with schools and Essex County Council.

Engage with customers and stakeholders.

Risk management.

## **Key dates for leisure and sport within the portfolio**

### **Witham Leisure Centre**

Planning application approved in September 2011.

Tender period – October to December 2011

Award of design and build contract in March 2012.

Work on site to clear the old school has commenced.

New facility to open summer 2013.

### **Leisure Contract**

Tender period – November to February 2012

Award of new leisure contract in May 2012

The current leisure contract expires at the end of August 2012.

The new leisure contract will operationally commence from September 2012.

Members of the council, town and parish councils, partners, stakeholders, community groups and users will be kept up to date on the progress of both the Witham Leisure Pool and the New Leisure

The Leisure Partnership Board met again on the 11<sup>th</sup> October to track and discuss the current progress of both the Witham Leisure Centre and the Leisure Contract projects. The key data from this meeting will soon be scoped and distributed in the Leisure Bulletin 2 for publication in early November. Key decisions will be published under delegated powers.

The scheduled works are due for completion in November/December and I have made a bid to Council to increase the capital budget of this project to allow urgent repairs to the clock tower to be done whilst the scaffolding is still up. Improvements to catering facilities, meeting rooms and function rooms are also being undertaken.

## **Community Halls and Facilities**

### **Witham Public Hall**

The management of this Braintree District Council owned facility has been successfully transferred to the Witham Public Hall Trust. It has been a pleasure to meet and work with the Trust that will maximise this facility for the benefit of the community.

**Glebe Hall**

The management of this Braintree District Council owned facility has been successfully transferred to a Community Trust. I'm particularly pleased about the joint working/partnership between Braintree District Council, Greenfields Community Housing and local ward members. Glebe Hall and the surrounding area have improved greatly. This facility, under community management, will enhance the Glebe estate.

**Hollywood – 19/21 Bocking End.**

A planning permission has been granted for the conversion of Hollywood into a new community facility for the Braintree and Bocking Community Association and the Council continues to work closely with the BBKA to progress this work.

**Silver End Village Hall**

Works have been completed at Silver End Village Hall installing a new heating system. I'm due to meet with representatives from Silver End on the 31st October to discuss the future management arrangements of this facility. The village hall is a Community Hub. I envisage the community taking part ownership of the management arrangements of this facility in the near future.

**Halstead Senior Citizens Centre**

Good progress has been made with Halstead Town Council in undertaking a feasibility study into the need of a new community facility in Halstead.

Works are due to take place at the Ramsey College to relocate the Citizens Advice Bureau and the Park Play Group.

Careful and steady progress has been made to relocate the final user groups. Both Age Concern Halstead Area and the Friday Club have identified new premises that they would like to move to and the Council is working with them to progress this work. The centre is due to close in July 2012.

**Braintree Institute**

The management of this facility has been successfully transferred to a community trust (B.A.T.T. – Bocking Arts Theatre Trust).

**Dengie Hall**

Good discussions are on-going to transfer this hall to local management with the aim of a lease being signed in November. Doors/windows from the demolition of Forest Road Hall will be used to improve Dengie Hall prior to the transfer.

**The Town Hall, Braintree**

Members would have notice that the town hall is receiving a face lift. The town hall is an iconic building gifted to the community by the Courtauld family.

The scheduled works are due for completion in November/December and I have made a bid to Council to increase the capital budget of this project to allow urgent repairs to the clock tower to be done whilst the scaffolding is still up. Improvements to catering facilities, meeting rooms and function rooms are also being undertaken.

**The Braintree District Museum and Warner Archive**

The Museum Trust is undergoing a time of transition with a new Chairman and board members in place and future vacancies to be considered.

Early discussions in many areas seek the potential for change, improvement, sustainable future and commercial opportunities. I will keep a watching brief on the service and report back to members at a later stage.

## **Community Safety**

There are currently three Joint Action Groups (J.A.G.'s.) in the Braintree district one in each of our three main towns.

Essex Police are keen to offer a few additional spaces on each of the three J.A.G.'s. I would be keen to hear from members, particularly new members, if they would be interested in joining a J.A.G.

The purpose of the J.A.G.'s is to bring the police and stakeholders together to discuss issues of community safety in an area.

Essex Police is currently undergoing a review of all aspects of policing which will culminate in the implementation of a new policing model known as the "BLUEPRINT" from March 2012.

Braintree continues to be a low crime district compared to similar areas in the country. I meet regularly with our local policing teams to consider local issues and discuss solutions.

### **Responsible Authority Group (R.A.G.)**

R.A.G. Is our Community Safety Partnership and brings partners and stakeholders together from Fire and Rescue, Health, Probation, Essex County Council, Greenfields Community Housing and Braintree District Council.

R.A.G. considers the priorities for the district and works in partnership on solutions.

The Police Reform and Social Responsibility Bill, which replaces police authorities with police and crime commissioners, is expected to complete its passage through the House of Lords shortly. It is anticipated it will get royal assent in the early autumn. I will update members on the transition of this process.

### **Braintree Industrial Watch**

On Friday 23rd September 2011, the launch of the Braintree Industrial Watch took place. Chief Supt. Michelle Dunn officially opened this event. This partnership project between Essex Police and the business community off Rayne Road will work together to improve crime reduction in this area. Representatives from Witham Industrial Watch gave a presentation on the successes of their crime model in Witham.

## **Community Development**

A 'YES' vote was achieved by the community of Silver End Silver for a BMX/Skate Bowl. Discussions continue with the local community to agree a proposal for the new Silver End BMX/Skate Bowl. The scheme is being proposed to enhance facilities for the youth.

The new River Colne Countryside Trust. The proposed areas of operation could cover sixteen parishes in the River Colne Valley. The purpose of the Trust would be to encourage volunteers, young people, fundraisers, partners and stakeholders to join together and work towards the protection/enhancement of the outstanding and beautiful countryside and wildlife of the River Colne Valley in north Essex.

Cllr. Tattersley attended the first meeting in September

The Halstead River Walk – community enhancement and improvement scheme. I met with all local ward members and community groups to celebrate the opening of the scheme to the public. The completion of this scheme to a final phase has been

discussed with ward members and Halstead Town Council.

Campaign To Protect Rural Essex (C.P.R.E). - The Hundred Parishes.

This is an initiative to raise awareness and enhance enjoyment of the rich and diverse heritage within an area of some 300 square miles in northwest Essex, northeast Hertfordshire and south Cambridge. I'm due to meet with the C.P.R.E in November.

Summer holiday activity days.- Activity days are delivered during the six week summer holiday period. The activity days are provided in partnership with parish councils to deliver a programme of play activities for young children aged 5-11 in areas with no access to leisure facilities. A review is currently being undertaken to ensure we target the neediest in our district.

### **Rural Issues**

LGA –Rural Commission met in September. The Rural Commission comprises representatives from local authorities countrywide.

The Commission provides the forum in which rural authorities can discuss matters of concern and exchange good practice and experience.

Some of key items for discussion were: Community transport, volunteering, the future of our high streets and The Localism Bill.

Essex Rural Partnership.

The Essex Rural Partnership met in October. Partnership meetings are always greatly attended allowing Essex rural authorities to share issues of significant importance and concern in the rural areas.

### **Inspiring Young People**

With only 300 days to the start of the Olympics 2012 I have launched a fund totalling £2,500.00. Any organisation or constituted group working with young people (up to 18 years old) to participate in sport can apply for funding of up to £250.00. Applications must be in 20<sup>th</sup> December 2011.

### **Visit by the High Sheriff**

The High Sheriff, Lady Rosemary Ruggles-Brise, will be met by Cllr. Peter Tattersley on October 25th 2011. The visit is to meet with the local community of Braintree East to congratulate them on the "Pride in our Patch" project. This project is an underpass art project.

### **Service Level Agreements**

I have recently met with both the Citizens Advice Bureau and the Braintree District Voluntary Support Agency to consider their new Service Level Agreements with our authority. Our authority currently funds both these valued organisations. I will bring forward my report to Cabinet in December.

### **Voluntary Sector**

Over the past few years I have highlighted the important role played by the voluntary sector in our district. The importance of this role is constantly demonstrated to me in so many different ways. The launch of the Braintree Industrial Watch and indeed Witham Industrial Watch again highlights the importance of volunteers. This year I have agreed a new policy for single volunteers working in our district. Lately I have agreed the latest "COMPACT" a code of practice for working with the Third Sector.

### **Walking for Wellbeing**

The Council is currently in the process of negotiating the transfer of Walking Schemes to another provider and will no longer fund this scheme beyond the 31st March 2012.

During the summer months I joined many of the walking groups from around the district and enjoyed greatly the company. I have learnt so much more about our vast and diverse district. Walking for Wellbeing tackles the issues of social deprivation in our district.

The latest NHS health profile for our district highlights a growing number of our ageing population has obesity related issues.

Discussions are ongoing to secure the future of the walks with other partner or stakeholder groups.

### **The Older Peoples Guide**

The new older peoples guide has been produced by Braintree District Council and NHS mid-Essex. The guide includes entries from over 100 local and national organisations in supporting older people.

### **Community Transport**

An in-depth review into Community Transport has begun. The council continues to provide this service which allows the elderly, disabled, vulnerable and those in rural the areas access to travel on our buses within the district.

A social car scheme is in operation in partnership with local volunteer drivers. The drivers give up their time and cars to provide this valuable service.

A bid has been submitted for a new "Hospital Hopper" bus scheme.

The Community Transport volunteer drivers donated a commemorative bench to Braintree Community Hospital. The bench was purchased with £1,500.00 prize money won by the drivers for the Essex Chronicle's Heart of Essex Award. The bench was unveiled by the volunteers on the 10th October.

### **Local Community Engagement**

The Town and Parish Summit was held on the 22nd September 2011. The event was a great success and hugely attended. The Mi Community Fund was launched at the event. A presentation was also given by Essex Police on the future of policing in our district and The Rural Community Council of Essex on Neighbourhood Planning.

At the Cabinet Meeting on the 1st September 2011 a decision was taken to approve the terms of reference for the Locality Working Group.

The Locality Working Group will act as a "think tank" considering the role of the Local Ward Member in a changing local government landscape.

Ideas proposed by the group can be referred to the Local Government Reform Cabinet Sub-Group for further consideration.

### **Key Dates For Local Community Engagement**

6<sup>th</sup> October 2011 – Learning for Life Centre, Braintree District Museum.  
MEET THE FUNDERS DAY - Supported by Essex County Council – Big Society Fund. Sport Essex - Funding for sport. Greenfields Community Housing – funding

pots. Essex Community Foundation – funding pots. Big Lottery Fund – Awards for all. Braintree District Council – Enterprising Communities Fund.

This event was sold out and brought together not only town and parish councils but community groups from Braintree too.

The event demonstrated how successful bids for funding can enhance areas all around our district.

A key priority for Community Engagement is greater involvement of local people and communities to improve how we respond to local issues that impact on people's lives. Several pieces of work are being planned to strengthen our approach, including the piloting of a community budget and looking at the "unparished" areas of our district. These will be reported to Cabinet in due course.

#### **Further Cabinet Member Updates:**

For bite size pieces of information regarding my portfolio and other aspects of ward work you can now follow me on twitter at:

[www.twitter.com/@JoBeavis](https://www.twitter.com/@JoBeavis)

Councillor Joanne Beavis  
Cabinet Member – Communities

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

Cllr. Beavis and Cllr. Tattersley. Contact details via the Members' Portal.

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<b>CABINET MEMBER REPORT TO COUNCIL</b>		<b>Agenda No: 10(i)(c)</b>
<b>REPORT COVERS ACTIVITY ENDING 24<sup>th</sup> October 2011</b>		
<b>Portfolio Area:</b> Enterprise, Housing and Development		
Portfolio covers:- Infrastructure, Economic Development Strategy, Business Support, District Growth, Built Environment, Promotion of district, Asset Management, Housing, Homelessness, Affordable Housing		
<b>Report presented by:</b> Cllr Lady Newton		
<b>Background Papers:</b>		<b>Public Report]</b>
<b>Options:</b>		<b>Key Decision:No</b>
<b>REPORT COVERS ACTIVITY ENDING 24<sup>th</sup> October 2011:</b>		
<b>Asset Management</b>		
<u>Disposal of Land East of the High Street Halstead</u>		
Contracts were exchanged on the 23 <sup>rd</sup> September 2011. The purchaser has 9 months from exchange of contracts to submit a planning application.		
<u>Mayland House, Witham</u>		
Cabinet approved the continuation of the letting strategy for Mayland House at its meeting on the 18 <sup>th</sup> July 2011. Additional revenue funding was also approved to cover running costs until one floor of the building is let and a positive cash flow position is reached. A five year lease of half of the second floor to Randall & Quilter Investments Ltd was completed on the 5th October 2011.		
Interest from other prospective tenants is being monitored. The Council is currently in negotiations with two further parties wishing to let office space in the building.		
<u>Bocking Cemetery</u>		
On 28 <sup>th</sup> March 2011 Cabinet approved the acquisition of a 5.5 acre site off Church Lane, Bocking for cemetery extension, allotments and open space purposes. The acquisition is subject to planning. A planning application was submitted on the 25 <sup>th</sup> August 2011 and is due to be considered by Planning Committee in November 2011.		

## ECC's lease of accommodation in Causeway House

Final Heads of Terms have been agreed and Solicitors instructed on the 15<sup>th</sup> April 2011 to complete the Agreement for Lease. A Solicitor from Basildon DC has just been instructed to deal with this matter which is now close to completion.

## Silver End Village Hall

The installation of replacement heating system was completed on the 7th October within budget.

## **Development Management**

### Locally determined application fees

The Government will be introducing legislation to enable the implementation of locally determined application fees. LPAs will need to have a robust rationale for the setting of its fees, and many, like BDC, have opted to be part of a benchmarking club led by the Planning Advisory Service (PAS). The fee setting process starts with an analysis of all Officer time spent and all costs associated with the handling of planning applications. BDC Officers have now completed a time recording exercise using agreed codes and the Service has also established the fee-related costs. The new fees are not likely to be introduced until Autumn 2012 (at the earliest) but the decisions on the setting of the fees will require full Council approval and this decision may need to be taken outside the normal business planning cycle.

Officers have received the draft report from the Planning Advisory Service (PAS) which shows how our application fee rates would compare with other District Councils. These details are being analysed to see if any adjustments should be made to our estimates prior to final submission.

## **Planning Policy**

### LDF Progress -Core Strategy

The Core Strategy was adopted by Council on 19 September 2011. The six week period for legal challenge ends on 31st October 2011.

### Site Allocations and Development Management Policies DPD

Officers are currently preparing draft Site Allocations Plans for the villages and towns in the District, which will replace the village and town inset plans in the Local Plan Review. These will both allocate some sites for development and protect other areas from development for the next 15 years.

Meetings have been held with the larger Parish Councils and local ward members to seek their views on the draft site allocations plans and further meetings are being arranged. Smaller Parishes are being asked to write to the District Council with their views, although they can request meetings if they wish.

(Meetings have been held with Kelvedon, Hatfield Peverel, Coggeshall, Earls Colne, Silver End, Sible Hedingham and Castle Hedingham Parish Councils so far and there are forthcoming meetings with Feering and Gosfield Parish Councils.)

The Local Development Framework Panel will consider most of the draft Site Allocation Village Inset Plans at its meeting on 7<sup>th</sup> December. A further meeting of

the Panel will be arranged for January/February 2012 to consider draft Inset Plans for the towns and remaining villages.

There will also be a Members Seminar on 9<sup>th</sup> November to discuss planning policies for the Development Management Plan, which will replace the current policies in the Local Plan Review.

It is intended the Draft Site Allocations and Development Management Plan will be approved the LDF Panel in March 2012, for public consultation. The consultation period would be held during April and May 2012.

## **Economic Development**

### **BDS/BEAU Merger**

A Workshop was held on 6<sup>th</sup> October and Cllr Mckee attended.

Board members met on Tuesday 11th October as a 'transition' meeting,

The two boards are looking for a little further clarification on:

1. Ensuring the financial projections are as robust as possible.
2. Understanding what processes BDC has yet to go through, and the timing, before a decision to go ahead with the new units and lease them to the merged body is reached.

The board meetings are 18th October (BDS) and 10<sup>th</sup> November (BEAU) and the proposed merger will be the major item. It will give an opportunity to seek broad agreement on the items above and get agreement to the composition of the transition team and shadow board.

### **Haven Gateway and sub-regional activity**

A meeting has been organised by Haven Gateway for 10th November to discuss Town Centre initiatives.

The three local authorities from the Essex side of the Haven Gateway are meeting shortly to discuss sub regional investment opportunities along the A120.

## **Housing**

### **Affordable housing**

There were no affordable housing completions during August 2011.

The first handovers of affordable homes at Riverside, Braintree, will begin towards the end of October and continue over the coming months to completion of the project In March 2012. The Council has now agreed with the Stansted Area Partnership that the funding allocated to Braintree will be claimed for the additional units procured by Chelmer Housing Partnership (£358K).

The Planning Application for the six flats to the rear of 19-21 Bocking End will be considered by the Planning Committee on 8<sup>th</sup> November. Colne Housing have secured HCA (Homes and Communities Agency) grant for the scheme.

The garage site at Tabor Avenue, which will provide accommodation for young people with special needs, is held up due to negotiations about access to an electricity sub-station. Family Mosaic has confirmed that it has secured HCA grant for the scheme.

### Severe weather provision for rough sleepers

Meetings are taking place with partners to ensure that arrangements are in place for the coming winter months.

### Housing Policy

Under the Localism Act all local authorities will have a duty to produce a Strategic Tenancy Policy within a year of the enactment of the Bill. In practice this means that the Council will need to publish its policy on 2012. All registered providers of social housing should then have regard to this tenancy strategy in framing their own tenancy policies. The council is currently working with sub regional partners to develop a Strategic Tenancy Policy. This will involve, among other issues for consideration, flexible tenancies and changes to our Allocations Policy. I shall be arranging a workshop for members and would want to stress that it will be important for as many members as possible to be involved in the development of these policies.

Cllr Lady Newton  
Cabinet Member – Enterprise, Housing and Development

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

Cllr Lady Newton  
Cllr.ladynewton@braintree.gov.uk

<b>Contact:</b>	<b>Cllr Lady Newton</b>
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<b>CABINET MEMBER REPORT TO COUNCIL</b>		<b>Agenda No: 10(i)(d)</b>
<b>REPORT COVERS ACTIVITY ENDING 21st October 2011</b>		
<b>Portfolio Area: ENVIRONMENT</b>		
<b>Portfolio covers:-Clean and Green  Cleansing/Parks,  Landscapes and Countryside  Waste Management/Recycling  Regulatory Functions (licensing,  environmental, building control)  Carbon Management  Highways</b>		
<b>Report presented by: Cllr Mrs W Schmitt</b>		
<b>Background Papers:</b>		<b>Public Report</b>
<b>Options:</b>		<b>Key Decision: No</b>
<b>CARBON MANAGEMENT</b>		
District Wide Carbon Saving Project <ul style="list-style-type: none"> <li>We are about to launch the Council's Winter Fuel Poverty Campaign - this Council led project is in partnership with the CAB, energy companies and insulation firms. Through the Council, residents are offered advice and support on reducing fuel bills, encouraging householders to signing up to insulation schemes, support for communities in setting up oil clubs (Bulk purchase of heating oil) and advice fuel bill tariffs.</li> </ul>		
Wind Turbine Great Notley <ul style="list-style-type: none"> <li>Ecology: initial Phase 1 habitat assessment started on site to identify key ecological issues.</li> <li>Visual Landscape Impact Assessment commenced, 8 key viewing sites identified</li> <li>Preparing public and stakeholder consultation event for December (Information to go into Contact magazine for November)</li> <li>Aim to commence wind study on site in December</li> <li>Continued discussions with manufacturers re turbine availability and viewing platform opportunity</li> <li>Environmental Impact Assessment Legislation - on 24th August this year the Govt introduced new legislation requiring full EIA for single turbine developments, studies are now being adapted to reflect this change,</li> </ul>		

timeframe for planning application must be moved back by 3 months to accommodate this – However, there is sufficient time to absorb this delay in later stages of project.

#### Causeway House Solar Panel installation

- Solar array Causeway - British Gas are producing a draft agreement for consideration. BDC have confirmed acceptance of the installation to be paid for by British gas.
- Solar array for council's estate - Tender is being drafted (possibly with Maldon) for suppliers to submit proposals for 37 BDC owned sites inc. leisure centres etc.

### **FOOD HYGIENE**

#### Scores on the Doors

After being at the forefront of the scores on the doors scheme – star rating of food establishments – we are now in discussions with the national Food Standards Agency to move over to introducing the National scheme in the district. In doing this we will create a saving to the council and provide a more flexible scheme for our food businesses.

#### Fish pedicures

Officers are looking in to the new guidance issued by the Health Protection Agency which covers the use of Garra rufa fish to nibble off dead and thicken skin off feet. We only have the one business offering this treatment at present but officers are looking at guidance which covers the two aspects of this type of business :- possible health implications for the public from the transmission of disease and of course the welfare of the fish.

#### The Americans are coming

As one of our local food businesses (Eat Natural – Halstead) provides a large American food producer, the American Food & Drugs Agency are sending one of their inspectors over next week to accompany one of our food inspectors look around and carry out an audit of the factory.

### **LICENSING**

Following the recent alarmist headlines in the Braintree & Witham Times about the newly introduced knowledge test causing a possible lack of drivers due to the number of drivers failing the test. Officers have taken a positive approach and invited the journalist (who has accepted) to come in to the offices to sit the test and be given a full explanation about why the test has been introduced and what it is designed to achieve.

### **ENVIRONMENTAL PROTECTION**

Environmental protection officers have been busy striking up partnership working with Trading standards, Chelmsford Borough Council and the local Police in a bid to crack down on fly tippers in our district. Intelligence reports suggest that a number of illegal waste carriers from North London are fly tipping in our district, using the A12 as their preferred route. Our officers have been successful in getting permission and authorisation to carry out vehicle stop checks at Boreham. In return Chelmsford will send officers along to the stop checks where our officers and Trading Standards officers will provide them with training.

## **SHARED SERVICES – Essex Trading Standards/Braintree/Brentwood**

The Governance group decided to take stock and re-visit the key aim for the project and it was unanimously agreed that the project was to;

- to improve 2 tier working at a local level – new joined up services
- look to provide services that meet the needs of local customers/business
- the new services need to be provided by working outside the professional boundaries.

And importantly the project was not about creating structures, transferring staff to one employer and streamlining management etc.

The agreed way forward was to draft a joint year work programme to include individual projects where the districts can work with County to deliver the two tiers of regulation in a single service at a very local level within the district. The work programme will be overseen by the cabinet members from the three authorities.

## **COLLABORATIVE WORKING**

### **Recycling**

Officers are currently working with Uttlesford District Council on a procurement contract for the sale of the co-mingled (plastic, cans, paper) waste to a processor. We will be inviting other local authorities to participate in this process, with a view to awarding a 5yr contract from 1 April 2012. This will ensure that the Council receives the best price possible for its recyclable materials.

### **A12 Cleaning**

Excellent progress continues to be made in cleaning the A12 through our partnership with Colchester Borough Council. As a point of interest, in the first 6 months of this financial year, 5.4 tonnes of waste has been cleared.

## **COMMUNITY SAFETY ACCREDITATION**

I attended a presentation by Inspector Neil Murray of Essex Police on 18 October to welcome six more members of the Council's staff as part of its Community Safety Accreditation Scheme (CSAS). This is a national scheme that has been adopted by Essex Police to enable public, private and voluntary sector organisations that have a key role to play in contributing to community /environmental safety, to become part of the Police's extended family. It grants 'Accredited Persons' limited powers, which are aimed at providing a better quality of life in the community, and helps co-ordinate some activities like visible patrols and the sharing of information.

Being part of the police's 'extended family' ensures highly effective liaison between the police and the Council with better sharing of information and enhanced co-ordination of local problem solving initiatives.

### **CAR PARKING**

Repairs including essential health and safety works have been carried out to George Yard MSCP to improve the infrastructure. This includes bay markings, anti-slip treatment to the stairways, repairs to parapet, brickwork and guttering, and supplying/fitting hardwood frame windows to stop the ingress of rain and adverse weather in parts of the building.

## **CEMETERIES**

The new fencing at Witham Cemetery has been installed to provide better security and privacy to the site.

## **STREET CLEANSING**

### **Estate Blitz**

On 22 September, the Council's staff joined Greenfields and local residents to undertake a blitz of the Glebe estate, Braintree. The clean-up involved litter-picking, clearing weeds, removal of rubbish and sweeping communal areas and at the end of the day, ten tonnes of rubbish had been collected

### **Beat Barrows**

Since July this year, Operations has deployed a beat barrow operative in each of the town centres including weekend working which has made a tremendous difference to cleanliness standards and customer satisfaction. A recent survey showed that satisfaction with keeping public land clear of litter had increased from 64% in 2008 to 91% in the first half of 2011. This clearly shows that the Council's programme of activities under the Green Heart of Essex has been a very successful and worthwhile investment. Sue Farmer, the Halstead barrow operative, was honoured by Halstead in Bloom with a medal for the work that she does in the town which helped in their success in Britain in Bloom. She is held in high esteem and is an excellent ambassador for BDC; we held a small event for her as a token of our appreciation.

## **WASTE MANAGEMENT**

### **Food Waste Service**

The new weekly food waste service to 40,000 properties commenced on 5 September 2011 and is progressing well. Over the past 7 weeks, 398 tonnes of food waste has been collected which averages c57 tonnes a week. As anticipated, in the first 4 weeks of operating the service, there was an increase in the number of missed bins – some due to customers not having put their bins out in time for collection - but this has now settled down to acceptable levels.

The Council is on target to achieve its annual recycling rate of 56% this year. Of course, we need to acknowledge the tremendous efforts of the residents in our District who continue to support the Council's recycling scheme.

### **Cordons Farm Waste Transfer Station**

ECC have confirmed their intention to purchase land at Cordons Farm to develop as a waste transfer station for Braintree's waste. Their overall timetable is to obtain planning permission for the facility in 2012, with building commencing 2013 and the facility to be operational from 1 April 2014. This has provided an opportunity for the Council (which has its own WTS at this site) to look at the feasibility of having a co-located WTS managed and operated by the County Council's contractor. This will improve efficiency and give better value for money to the Council Taxpayer. Officers are currently working on a joint Business Case that will be considered by Cabinet in the first half of 2012.

## **PARKS & OPEN SPACES**

### **Halstead in Bloom**

We received a letter from Halstead in Bloom who received a Gold Award in both the Anglia and Britain in Bloom competitions, thanking the Council – in particular front line staff within Operations who supplement the work of the In Bloom volunteers – for their work in keeping the parks, open spaces, town centre and other streets looking clean, tidy and well maintained. This is yet another example of where the Council's own work contributes to supporting local communities.

### **Extension to Bocking Cemetery – proposed allotments**

A planning application for the extension to Bocking Cemetery has been submitted, although the decision is not expected until the end of November. If granted, this will provide not only much needed additional burial space, but also space for an allotment of approximately 46 plots. The latter is subject to capital funding as part of the budget process and, if approved, the site should be available early Summer.

### **Cycleway – Bradford Meadows**

The new cycleway at Bradford Meadows (from Spalding Close to Rana Drive and up to Wentworth Crescent) was completed in September and has improved accessibility to the open space.

### **Verge Cutting**

The Council has completed the second phase of the highway verge cutting on behalf of Essex County Council, which is carried out in the Spring and Autumn each year. This is a coordinated approach between the Street Cleansing and Horticultural Services to carry out litter-picking in advance and also following on behind the cutting to ensure that all areas are left clean and tidy.

### **Play Area Refurbishment**

Two further play areas have been refurbished (Clare Road, Braintree and John Ray Gardens, Black Notley) which involved the installation of new play equipment, picnic benches and additional litter bins. A refurbishment at Brook Meadow, Sible Hedingham is due to complete 9 November.

## **LANDSCAPES AND COUNTRYSIDE**

### **Project to develop a Local Nature Reserve at Hoppit Mead, Braintree.**

The Council has now received the ecological report undertaken by consultants. In addition to providing a survey of the habitats and species present on the site, the report also provides an assessment of their conservation significance in a local and national context and a brief consideration of the site against the Natural England LNR criteria (2010).

The report indicates that the site has the potential to meet the LNR designation criteria but this will require investment to address identified safety hazards (including Pods Brook) and the need to deliver a "safe educational resource". The report suggests how these weaknesses could be addressed (e.g. provision of dipping platform, fences, boardwalk, etc.), but this investment now needs to be considered through a capital bid.

## **Jubilee Oaks - Planting of legacy trees in towns and villages across the District**

Almost every Parish has now registered interest in planting a Jubilee Oak and Tree warden training events have been held (late August) to support the implementation of the project. BTCV will be providing assistance to Parish Councils in the planting, if required.

Tree planting is to commence at the start of National Tree Week (26th November to 4th December).

Cllr Mrs W Schmitt  
Cabinet Member for the Environment

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CABINET MEMBER REPORT TO COUNCIL		Agenda No: 10(i)(e)
REPORT COVERS ACTIVITY ENDING OCTOBER 21ST 2011		
Portfolio Area:	Financial /Treasury Management Business Efficiency/Transformation Revenues and Benefits Customer Service Procurement Information Technology Risk Management Health and Safety HR and Organisational Development Member support and Development	
Report presented by:	Cllr Chris Siddall	
Background Papers:		
Cabinet Meeting 24 <sup>th</sup> October 2011		
Options:	Key Decision: No	
Report for noting		
REPORT COVERS KEY ACTIVITY ENDING Friday 21 <sup>st</sup> October 2011:		
Treasury Management Strategy		
<p>Following the credit agency Moody's down grading of some 12 UK institutions, It was necessary for the council to review it's investment criteria and policy, this is detailed in a report to cabinet on 24<sup>th</sup> October 2011. The changes to the criteria will give the Council better flexibility whilst maintaining a balance between the best return on investments and minimising investment risk.</p> <p>The Council has arranged a seminar for members on 21<sup>st</sup> of November 2011 by Arlingclose Limited who provide the council independent treasury management advice. I would ask any Members interested in attending this event to please confirm their attendance with Trevor Wilson.</p>		
MTFS		
<p>Also detailed in the Cabinet report the Medium-Term Financial Strategy provided the option for consideration of the early repayment of the Council's outstanding borrowings of £6 million, following close consideration of this option it is considered not prudent mainly due to the very low interest rates which result in higher than anticipated early repayment penalty, this option will be kept under review.</p>		

**Icelandic Bank investments update**

As I reported to full Council previously we still await the court hearings in Iceland, I will update members as soon as a result is known.

**Mayland House**

I am delighted that at the time of writing this report the letting of this asset had moved forward, and I will report in more detail of the financial benefits to the Council as these become available.

**Causeway House Refurbishment**

The project is moving on well and we can all see the great new working environment which has been created now on the first floor, minor teething problems have been experienced as the floor has been taken back but all in all it has been a very smooth transition.

**Procurement**

Reported in the Cabinet papers on the 24<sup>th</sup> October are the full details of the joint ICT contract procurement, I would strongly recommend members take a close look at this which has proven that joint working with our neighbouring councils can have significant financial benefits not just to the cost of the contract itself but also to the cost of procuring such a contract.

**HR Organisational Development**

The Cabinet on 24<sup>th</sup> October also considered the flexible retirement request from the Chief Executive and supported his flexible retirement in accordance with the Local Government Pension Scheme.

Cllr Chris Siddall  
Cabinet Member – Efficiency And Resources

Further information on this report can be obtained by contacting:  
Cllr Chris Siddall Tel 01376 565302  
Cllr John O'Reilly-Cicconi Tel 01787 466030

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<b>List of Public Meetings Held Since Last Council Meeting</b>		<b>Agenda No: 11(iv)</b>
<b>Corporate Priority:</b> Not applicable		
<b>Report presented by:</b> Not applicable		
<b>Report prepared by:</b> Alastair Peace – Member Services Manager		
<b>Background Papers:</b>		<b>Public Report</b>
<b>Published Minutes of the meetings listed within the report below.</b>		
<b>Options:</b>		<b>Key Decision: No</b>
<b>Report for noting</b>		
<b>Executive Summary:</b>		
<p>Since the last Council meeting held on 19<sup>th</sup> September 2011 the following minutes have been published for the meetings held in public session:</p> <ul style="list-style-type: none"> <li>(1) Licensing Committee – 28<sup>th</sup> September 2011</li> <li>(2) Audit Committee – 29<sup>th</sup> September 2011</li> <li>(3) Planning Committee 4<sup>th</sup> October 2011</li> <li>(4) Overview and Scrutiny Committee – 12<sup>th</sup> October 2011</li> <li>(5) Cabinet -24<sup>th</sup> October 2011</li> <li>(6) Planning Committee – 25<sup>th</sup> October 2011 (copy to follow)</li> </ul>		
<b>Decision:</b>		
That members note the minutes published.		
<b>Purpose of Decision:</b> Not applicable		
<b>Officer Contact:</b> Alastair Peace		
<b>Designation:</b> Member Services Manager		
<b>Ext. No.</b> 2602		
<b>E-mail:</b> <a href="mailto:alastair.peace@braintree.gov.uk">alastair.peace@braintree.gov.uk</a>		