

Minutes

Cabinet

24th September 2012



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available at www.braintree.gov.uk.

Present:

Portfolio	Cabinet Member	Present
Leader of the Council	Councillor G Butland (Chairman)	Apologies
People and Participation	Councillor Mrs J Beavis	Yes
	Councillor P Tattersley	Yes
Performance and Efficiency	Councillor D L Bebb	Yes
	Councillor J T McKee	Apologies
Place	Councillor Mrs W Schmitt	Yes
	Councillor R G S Mitchell	Yes
Planning and Property	Councillor Lady Newton	Yes
	Councillor J O'Reilly-Cicconi	Yes
Prosperity and Growth	Councillor C Siddall (Deputy Leader of the Council – Chairman for this meeting)	Yes

Councillor Abbott, Leader of the Green Group, Councillor Barlow, Leader of the Labour Group, and Councillor Dr Evans, Chairman of the Overview and Scrutiny Committee, were also present as invitees of the Leader.

The following Councillors were also in attendance: Councillors Canning, Lynch, Mann, Money, Ramage and Shepherd.

36. DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:

- Councillor Abbott declared a Disclosable Pecuniary Interest in Agenda item 7a, First Quarter Performance Management Report, as working for Southview School as a question was raised regarding allotments at the School during consideration of the item.

In accordance with the Code of Conduct all Members remained in the meeting for all items, unless stated otherwise, and took part in the debate and decision thereon.

37. QUESTION TIME

INFORMATION: There were no questions asked or statements made.

38. **MINUTES**

DECISION: That the minutes of the meeting of the Cabinet held on 16th July 2012 be approved as a correct record and signed by the Deputy Leader as Chairman for this meeting.

39. **PORTAS PILOT UPDATE**

DECISION: That it be approved that the Council acts as the Accountable Body for the Portas Pilot funding of £86,500 (a condition of the Portas Pilot bid) and agreed that decision making powers be delegated to the Braintree Town Team to deliver the projects in the Bid document once formal Town Team partnership structures are in place.

REASON FOR DECISION: To confirm the Council in its role as the Accountable Body for the project and ensure that in accordance with the law and proper standards, public money is safeguarded and properly accounted for and used economically, efficiently and effectively, this includes the stewardship of public funds.

Once the formal Town Team structures are established, the Council will ensure that the project is co-ordinated and an Internal Officer group and systems are in place to ensure that delivery and subsequent monitoring of the project is undertaken on a regular basis and complies with appropriate procedures including the reporting of progress, outputs and milestones as part of Braintree's participation in this national pilot.

40. **COMMUNITY BUDGETS**

INFORMATION: Members received a presentation from Dan Gascoigne, Assistant Director, Corporate Policy, Strategy and Partnerships, on the progress on the Whole Essex Community Budget process.

DECISION:

1. That the direction of travel of the community budget regarding a more integrated approach across the public services and agencies within Essex be supported.
2. That the Council engages with the community budget process and provides support and assistance where benefits can be identified for the residents of Braintree District.
3. That all Members be provided with a briefing on the final business cases submitted to government identifying the benefits to the residents of Braintree District.

REASON FOR DECISION: To understand the development of community budgets and continue to support the development of a more integrated approach to service delivery across all public sector agencies in Essex.

41. **COMMUNITY RIGHT TO BID (ASSETS OF COMMUNITY VALUE)**

DECISION: That the procedure outlined in the report to ensure that the Council complies with the Community Right to Bid (Assets of Community Value) be approved.

REASON FOR DECISION: The Council has a duty under the Localism Act 2011 to set up and administer a list of assets of community value and a list of assets nominated by unsuccessful community nominations. The decision approves the procedure to manage this new duty.

42. **COMMUNITY RIGHT TO CHALLENGE**

DECISION: That the procedure set out in the report to ensure that the Council complies with the Community Right to Challenge, arising out of the Localism Act 2011, including setting the timescale for expressions of interest as 1st April to 31st May each year be approved.

REASON FOR DECISION: The Council has a duty under the Localism Act 2011 to consider expressions of interest to run its services under the Community Right to Challenge. The Council has to adopt a process including specifying a period of time when expressions of interest may be made. Failure to specify a timescale for expressions of interest would mean the Council would have to accept and consider expressions of interest at any time of year.

43. **JOINT AGREEMENT WITH WITHAM TOWN COUNCIL**

DECISION:

Minutes Published: 27 th September 2012 Call-in Expires: 5 th October 2012

1. That the transfer of the two pieces of land to Witham Town Council identified in the report (War Memorial Gardens, Newlands Street, Witham, and land adjacent to Asda, off Highfields Road, Witham) on a leasehold basis be approved with the aim of completing the leases by end of December 2012 (subject to agreeing the funding arrangements).
2. That the negotiation of a single, lump sum payment to Witham Town Council to manage this land be agreed.

REASON FOR DECISION: To seek support to progress the development of the joint agreement with Witham Town Council and transfer of land.

44. **FIRST QUARTER PERFORMANCE MANAGEMENT REPORT 2012/13**

INFORMATION: Councillor Dr Evans asked if water had been provided to an allotment site at Southview School, Witham.

Councillor Dr Evans also asked what trail the Council keeps on accidents, including investigations into responsibility for the accidents, and any action taken to ensure that employees work safely.

Councillor Bebb agreed to respond to Councillor Dr Evans on the questions he had raised.

DECISION: That the report be noted and endorsed.

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

45. **BRAINTREE DISTRICT STRATEGIC TENANCY POLICY**

Minutes Published: 27th September 2012
Call-in Expires: 5th October 2012

DECISION: That the Tenancy Strategy be approved for publication.

REASON FOR DECISION: To make sure we comply with the Localism Act 2011 in publishing our Tenancy Strategy

46. **HOUSING ASSETS: DISPOSAL OF LAND ADJACENT TO HANOVER SQUARE, FEERING AND TRINITY HOUSE, HALSTEAD**

DECISION:

Minutes Published: 27th September 2012
Call-in Expires: 5th October 2012
(Feering site only)

1. That the disposal of land adjacent to Hanover Square, Feering, to Greenfields Community Housing for provision of new rented affordable housing be agreed.
2. That it be recommended to Council:
 - a. That Trinity House, Halstead, be declared surplus to requirements and authorise the Head of Asset Management to dispose of the property on the open market once the existing lease to NACRO has been ended;
 - b. That net sale proceeds from the sale of Trinity House are added to the Council's affordable housing programme.

REASON FOR DECISION: To make best use of the Council's land and property

47. **NEW HOUSING ALLOCATIONS POLICY AND DISCHARGE OF HOMELESSNESS DUTY POLICY**

DECISION:

Minutes Published: 27th September 2012
Call-in Expires: 5th October 2012

1. That the revised Allocations Policy be approved (Appendix A of the report).
2. That the principle to discharge an accepted homelessness duty into the private sector where appropriate and resources are available to do so be approved.
3. That the new policy on how the Council discharges its homelessness duty be approved (Appendix B of the report).

REASON FOR DECISION: To ensure the Council's Allocations Policy remains up-to-date, relevant, and contributes to the Council's ambitions for social housing and tackling homelessness.

To ensure that the Council can use the new power available to discharge an accepted homelessness duty into the private sector and do so in a way that is consistent with other neighbouring Councils.

The review of the Allocations Policy was necessary to consider the effect of legislative changes arising from the Localism Act 2011, welfare reform changes due to take place April 2013 and Code of Guidance – Allocation of Accommodation published in 2012.

48. **CABINET MEMBER UPDATES**

INFORMATION: Councillor Beavis reported that Fusion had taken over the Leisure Contract from 1st September 2012.

49. **CABINET RESPONSE TO THE RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY TASK AND FINISH GROUP'S REPORT ON LOCAL HIGHWAY LIAISON**

DECISION: That response be agreed and the actions outlined in the report be delegated to the Corporate Director and/or Head of Operations to take forward.

REASON FOR DECISION: To consider and respond to the recommendations made by the Overview & Scrutiny Task and Finish Group on Local Highway Liaison.

50. **MINUTES TO BE NOTED**

DECISION: That the minutes of the Developing Democracy Group held on 28th August 2012 be noted.

51. **DELEGATED DECISIONS TO BE NOTED**

DECISION: That the delegated decisions set out in the report be noted.

The meeting commenced at 7.15pm and closed at 9.06pm.

G BUTLAND
(Leader)