

Minutes

Cabinet

2nd February 2015



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)	Yes
	Councillor T G Cunningham	Yes
People and Participation	Councillor J C Beavis	Yes
	Councillor P Tattersley	Yes
Performance and Efficiency	Councillor D L Bebb	Yes
	Councillor J T McKee	Yes
Place	Councillor J W Schmitt	Yes
	Councillor R G S Mitchell	Yes
Planning and Property	Councillor Lady Newton	Yes
	Councillor J O'Reilly-Cicconi	Yes

Also present as invitees of the Leader:

Councillor Banthorpe, Chairman of the Licensing Committee

Councillor Barlow, Leader of the Labour Group

Councillor Dr Evans, Chairman of the Overview and Scrutiny Committee

An apology for absence was received from Councillor Abbott, Leader of the Green Group.

Councillor Mann was also in attendance.

57 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:

Councillor J C Beavis declared a pecuniary interest in Agenda Item 7a – ‘Cabinet Response to the Recommendations from the Task and Finish Group Scrutiny Review of Options for Future Community Grant Funding Streams from April 2015 (Mi Community)’ as a charity with which she was involved had submitted an application for a grant from the Mi Community fund. Councillor Beavis left the meeting during the consideration of this Item.

58 **QUESTION TIME**

INFORMATION: There were no statements made or questions asked.

59 **MINUTES**

DECISION: That the Minutes of the meeting of the Cabinet held on 1st December 2014 be approved as a correct record and signed by the Chairman.

60 **LEADER'S UPDATE**

The Leader of the Council reported on the following matter:-

Devolution in Essex/Combined Authority

Councillor Butland reported that he and representatives of other Local Authorities in Essex had visited the Greater Manchester Combined Authority recently to observe how the Combined Authority operated.

Subsequently, a meeting of Essex Local Authority Leaders had taken place on 29th January 2015 to discuss possible devolution in Essex and the creation of a Combined Authority. Councillor Butland stated that he had been appointed to a Working Group of Essex Leaders which would take this issue forward and that Nicola Beach, Braintree District Council's Chief Executive, had been appointed as the Lead Officer. A possible outcome of this work could be the submission of a devolution/Combined Authority proposal to the Government with ideally the creation of a Local Enterprise Partnership for the Greater Essex area.

61 **COUNCIL BUDGET AND COUNCIL TAX 2015/16 AND MEDIUM-TERM FINANCIAL STRATEGY 2015/16 TO 2018/19**

INFORMATION: Consideration was given to a report on the Council's proposed budget and Council Tax 2015/16 and the Medium Term Financial Strategy 2015/16 to 2018/19.

In discussing the report, specific reference was made to Appendix G 'Allocation of the Estimated Surplus on the Council Tax Collection Fund as at 31st March 2015'. It was noted that the reference to 'Braintree' was unclear and that it should state 'Braintree District Council'. It was also noted that a report on the Business Investment Fund to provide financial loan support to businesses in the district would be presented to Cabinet in March 2015 setting out the details of the proposed scheme.

DECISION: That it be **Recommended to Council** that the following be approved:

1. The budget variations to the current base budget as detailed in Section 4 of the main report and Appendices B and C;
2. The savings as detailed in Appendix E;
3. The Priority Areas Investment bids, ongoing and for one-off expenditure, detailed in Appendix A;

4. That the New Burdens Grant of £27,317 to be received in 2015/16 be held in an earmarked reserve, to be utilised in respect of the Local Council Tax Support scheme and authorised by the Cabinet Member for Planning and Property;
5. That the Council Tax Freeze grant receivable from the Government in 2015/16 be accepted;
6. The Council's discretionary fees and charges for 2015/16 as detailed in Appendix D;
7. That the Council's housing rents and service charges are increased by 2.2% for 2015/16, as detailed in Appendix D;
8. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes;
9. Discretionary Council Tax discounts and exemptions for 2015/16 are:
 - Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
 - Discount applicable to vacant dwellings is set at 0% for the six month period;
 - Discount applicable to second homes is set at 0%;
 - Empty Homes Premium charged on dwellings vacant for over two years be set at 0%;
10. The Council's Pay Policy for 2015/16 as detailed in Appendix H;
11. An allocation of £894,484 from the General Fund unallocated balance in 2015/16;
12. Transfers between earmarked reserves and back to the Unallocated Balance in 2014/15 and estimated drawdown from earmarked reserves for 2015/16 as detailed in Appendix L;

Capital

13. The General Fund Capital bids for 2015/16 listed in Appendix M;

Treasury Management

14. The Prudential Indicators and limits set out in Appendix O;
15. The Policy on Minimum Revenue Provision as recommended in Appendix O;
16. The Treasury Management Strategy, including annual investment strategy, for 2015/16 (Appendix O);

Council Tax

17. The proposed estimates (producing a budget requirement for Council Tax purposes of £14,729,942) as detailed in Appendix I and the Council Tax for 2015/16 of £159.57 for a Band D property, having taking into consideration:

- The consultation feedback received;
- The assessment of risks in the budget assumptions;
- The Equalities Impact Assessments and
- The Section 151 Officer's report on the robustness of the estimates and the adequacy of balances (Appendix Q to the report).

REASON FOR DECISION: To determine the budget and Council Tax level proposals for 2015/16 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

62 **CABINET RESPONSE TO THE RECOMMENDATIONS FROM THE TASK AND FINISH GROUP SCRUTINY REVIEW OF OPTIONS FOR FUTURE COMMUNITY GRANT FUNDING STREAMS FROM APRIL 2015 (Mi COMMUNITY)**

(Councillor Beavis declared a pecuniary interest in this item and left the meeting during its consideration. The item was presented by Councillor Tattersley).

INFORMATION: At the Council meeting on 15th December 2014, the Chairman of the Task and Finish Group had presented the Group's report which included recommendations for future community grant funding streams from April 2015.

The Cabinet Agenda report included a summary of the recommendations together with the Cabinet Member's response. It had been recommended that the Mi Community fund should be extended for a further year and it was proposed that £100,000 should be allocated in the 2015/16 budget to fund this. The future of Mi Community for 2016/17 and beyond would be considered in a forthcoming, wider review of District-wide voluntary sector funding.

DECISION: That the Cabinet Member responses outlined in the Agenda report, including the proposed allocation of £100,000 in the Council's 2015/16 budget to fund Mi Community be approved, and the Corporate Director authorised to take forward the actions.

REASON FOR DECISION: To consider and respond to the recommendations made by the Overview and Scrutiny Committee's Task and Finish Group.

63 **ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 - DELEGATION OF POWERS**

INFORMATION: Consideration was given to a report on the Anti-Social Behaviour, Crime and Policing Act 2014 which gave the Council new powers to protect local communities. These powers were set out at Appendix 1 of the report. As the Act imposed new executive functions on the Council, the Leader was required to delegate authority to the Cabinet and relevant Officers to undertake them. The new powers were wide-ranging and related to a number of different Council services and functions.

Details of the proposed delegation arrangements were set out in Appendix 2 of the report.

In addition, the legislation required the Council to set fee levels for fixed penalty notices issued under the Act. It was proposed that the maximum threshold should be set at £100, with a £75 fee if payment was made within 10 days.

DECISION:

1. That the Leader's Scheme of Delegation of Authority, as outlined in Appendix 2 to the Agenda report, be approved.
2. That the fixed penalty charges of £100 and £75, for early payment within 10 days, be approved.

REASON FOR DECISION: To ensure that appropriate Officers are granted delegated authority to undertake and enforce the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 and to ensure that the Council is compliant with the legislation.

64

EXECUTIVE VEHICLES - EXEMPTION FROM REQUIREMENT TO DISPLAY AN EXTERNAL VEHICLE IDENTIFICATION PLATE POLICY

INFORMATION: Consideration was given to a report on the proposed introduction of a Policy to allow certain Private Hire vehicles, deemed to be of an 'executive' type, to be exempt from the requirement to display external identification plates on the front, rear and side of the vehicle.

This matter had first been considered by the Licensing Committee in May 2014, following which it had been subject to a six week period of consultation involving the 'taxi' trade and the general public. The Licensing Committee had considered the matter further in November 2014 and, as no objections had been submitted, it had recommended to Cabinet that the proposed Private Hire Vehicle Plate Exemption Policy and Conditions be approved without amendment.

DECISION: That the 'Private Hire Vehicle Plate Exemption Policy' attached at Appendix 1 to the Agenda report be adopted.

REASON FOR DECISION: To allow the Licensing Authority to make transparent decisions on which vehicles will be considered exempt from displaying a plate and livery.

65

CABINET MEMBERS' UPDATES

INFORMATION: The following verbal update was provided:-

Waste and Recycling Collections - Re-Routing and Introduction of In-Cab Technology

Councillor Schmitt, Cabinet Member for Place, reported that revised arrangements for the collection of waste and recycling had been introduced earlier in the day. This included the re-routing of some rounds and the installation of in-cab technology within vehicles. The changes, together with Essex County Council's provision of a new waste transfer station, had enabled the Council to provide a more efficient service.

Widespread publicity had been given to the changes.

The implementation of the new arrangements would be monitored closely, but so far there had been a good start. Councillor Schmitt thanked the Council's staff for their hard work, skill and enthusiasm which had ensured the successful implementation of the new arrangements.

66 **LOCAL PLAN SUB-COMMITTEE - 12TH JANUARY 2015**

DECISION: That the Minutes of the meeting of the Local Plan Sub-Committee held on 12th January 2015 be noted.

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

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

REASON FOR DECISION: The reasons for each decision can be found in the individual Delegated Decisions.

The meeting commenced at 7.15pm and closed at 7.58pm.

G BUTLAND
(Leader)