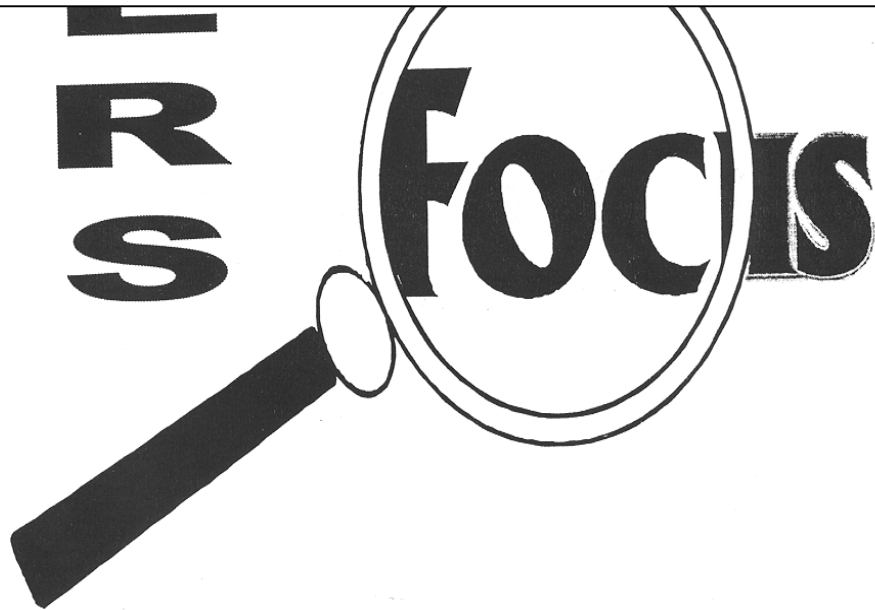


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*Members' Focus is available on-line at www.braintree.gov.uk
- Choose "Council & Democracy" from the menu on the left,
then "Members Focus".*

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Focus

February 2006

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AREA:

CORPORATE THEME HEADING:

SUBJECT: Private Sector Housing Enforcement Provisions	CONTACT OFFICER: Haydn Bates
TEL/EMAIL No.: 2210	BACKGROUND PAPERS:
<p>INFORMATION:</p> <p>The current enforcement provisions under the Housing Act 1985, e.g. section 189, 190, 352 Notices will be repealed in the majority and new provisions introduced under the Housing Act 2004. These new provisions are in line with other legislation, for example Health and Safety legislation in their terminology, e.g. Improvement Notices, Prohibition Orders. There are a few new additions, which include Management Orders and Emergency Remedial Action.</p> <p>Most inspections of property will be made against the new Housing Health and Safety Rating System. From this where a Category 1 hazard is identified the Authority has a duty to take some form of action. Where a Category 2 hazard is identified the Authority may take action.</p> <p>Other influences on the enforcement provisions, are breach of conditions relating to licensing or 'management regulations' (not yet introduced) relating to Houses in Multiple Occupation (HMO's).</p> <p>The Authority can utilise any of the enforcement provisions detailed below in relation to any residential premises, buildings containing flats and to common parts of a building (unless the Notice/Order relates to a specific form of residential dwelling). It is also possible for the Authority to deal with non-residential premises, as long as the hazard relating to a residential premises resides in the non-residential premises and the action is necessary to protect the health or safety of the actual or potential occupiers of the residential premises.</p> <p>NOTE : Whilst the current occupier (if any) is not considered when undertaking a hazard assessment they must be considered when deciding what action is to be taken. As before, consideration must be given to pursuing the most appropriate course of action</p> <p>Currently the Council has an Enforcement Policy in place This will be reviewed and revised to take into account the new provisions.</p> <p><u>Further Detail</u></p> <p>I have grouped the different provisions under different headings for clarity. All the provisions described below can be appealed/challenged through, initially a network of local Housing Tribunals and if they cannot be resolved, then via the courts</p> <p><u>Improvement Notices.</u></p> <p>Where an Authority determines that either a Category one (duty) or two (option) hazard</p>	

MEMBERS' FOCUS

(or combination of both) exists at a dwelling, the Authority is empowered to serve an Improvement Notice(s), which would require remedial action to remedy/mitigate the hazard. It is an offence to fail to comply with this form of Notice, which carries a penalty not exceeding level 5 (currently £5,000) and the Authority can carry out works in default of this Notice and recover expenses.

Hazard Awareness Notices.

Where an Authority determines that either a Category one (duty) or two (option) hazard (or combination of both) exists at a dwelling the Authority is empowered to serve a Hazard Awareness Notice(s). This would inform the relevant person of the hazard(s), and any works that would be needed to remedy/mitigate the hazard(s), but does not require those works to be carried out.

Prohibition Orders.

There are two types of Order, Prohibition Orders and Emergency Prohibition Orders.

Prohibition Order: Where an Authority determines that either a Category one or two hazard (or combination of both) exists at a dwelling the Authority can make a Prohibition Order, which has the effect of prohibiting the use of a dwelling or part of it for specific purposes or specific persons or number of persons. So for example, a top floor of a HMO can be prohibited from residential use by more than one household or by persons over the age of 65 or under the age of 5, etc. The Order will also contain (if any) the remedial action required to result in the revocation of that Order.

Emergency Prohibition Order: Where an Authority determines that a Category one hazard exists at a dwelling and they are further satisfied that the hazard involves an imminent risk of serious harm to the health or safety of any occupiers, the Authority can enter at any time to make an Emergency Prohibition Order, which would have the immediate effect of prohibiting the use of all or any part of the dwelling. The Order will also contain the remedial action required to result in the revocation of that Order.

It is an offence to fail to comply with these forms of Orders, which carries a penalty not exceeding level 5 (currently £5,000) and a further penalty of £20 for every day or part of day the contravention continues following conviction.

Emergency Remedial Action.

Where an Authority determines that a Category one hazard(s) exists at a dwelling and they are further satisfied that the hazard involves an imminent risk of serious harm to the health or safety of any occupiers, the Authority can enter at any time to carry out emergency remedial action, which is any action to remove the imminent risk of serious harm associated with the hazard(s). The Authority must serve a Notice within a period of seven days following the start of the remedial action stating, among other things, the hazards and the remedial action. The Authority can recover its expenses from taking this action.

Demolition Orders.

Where an Authority determines that either a Category one or two hazard (or combination of both) exists at a dwelling and is satisfied that this is the best course of action to deal

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with these hazards it can make a Demolition Order, which would require the demolition of the dwelling. Compensation would be payable for this form of action.

Clearance Areas.

This is similar to Demolition Orders but deals with a group of dwellings.

Overcrowding Notices.

This Notice relates to HMO's only and has the effect of stating that the Authority have determined that an excessive number of persons is being or is likely to be accommodated in the HMO. It sets out limits on the maximum number of persons that can be accommodated in each room used for sleeping in the HMO or that a room(s) is unsuitable for sleeping accommodation. It is an offence to knowingly contravene this Notice, which carries a penalty, not exceeding level 4 (currently £2,500).

Management Regulations.

The appropriate national authority may make regulations relating to the management of HMO's. It will be an offence to contravene any regulation, which will carry a penalty not exceeding level 5 (currently £5,000), for each contravention. *Note. These Regulations are not currently in place.*

Management Orders.

This form of enforcement allows an Authority to take over the management of specific properties from the owner/landlord. There are three types of Management Orders within the Act, Interim/Final Management Orders, Special Interim Management Orders and Empty Dwelling Management Orders.

Interim/Final Management Orders: specifically relate to HMO's and more details can be found within the HMO Licensing Factsheet.

Special Interim Management Orders: relate to 'selective licensing', which is where an Authority believes an area of 'low housing demand' would benefit from licensing and designates that area as so, with the approval of the relevant national Authority. Once an area is designated the licensing requirements as detailed for mandatory licensing take effect. It is not currently envisaged that the Council will look to secure any areas for selective licensing.

Empty Dwelling Management Orders: relate as the name suggests to empty properties and allows the Authority to take over the management of an empty dwelling in order to bring it back into use.

It should be noted that some of these powers are to be phased in over the next few months however no specific dates have yet been given

If you would like any further information please contact

Haydn Bates
Public Health and Housing Manager
Ext 2210

MEMBERS' FOCUS

AREA: All

CORPORATE THEME HEADING: Promoting Democracy

<p>SUBJECT: Freedom of Information – one year on</p>	<p>CONTACT OFFICER: Michael Letch</p>
<p>TEL/EMAIL No.: 2018 /mikle@braintree.gov.uk</p>	<p>BACKGROUND PAPERS: Implications of the new Freedom of Information Act. Members Focus September 2004</p>
<p>INFORMATION:</p> <p>The Freedom of Information Act has now been in force for a year and in that time we have received seventy nine requests. Some of them have been thinly disguised advertisements; does the Council have a H.R. department, a P.R. department, a rat catcher, an I.T. service? No? Can we sell you one of ours? A few have been from the press researching stories like school canteen hygiene, new parking regulations, how busy is your M.P. and how does the uncollected council tax affect the bills of those who do pay? Oddly enough, the most popular single enquiry is how many cooling towers are there in the District? Four people have asked, and to save you the bother, there are twenty-two of which two are broken and three are only standbys.</p> <p>Quite a few people have made enquiries because they fear that things are being concealed from them. It turned-out that they all had access to the information if only they knew where to look for it, but while researching the enquiries, I got the impression that it was labelled and indexed more for the Council's convenience than the public's.</p> <p>Although most of the enquiries have been routine, one or two have given us reasons to stop and think.</p> <p>In January we were asked for all the information we held about an engineering workshop in Halstead. The enquirer had taken early retirement because of ill-health and he felt that the poor design and use of the building had contributed to his illness. He came, he saw and he had to completely change his views. The site was designed and built according to the best practice of the times, and far from being a menace, the buildings had every safety feature you could want. The enquirer was disappointed that his theory had fallen apart, but went away satisfied that he had seen the whole story. In fact he wrote in, praising the Council in general and the Planning Department in particular for the quality of our record-keeping.</p> <p>Shortly after that, we had an enquiry referred to us from Halstead Town Council. Someone had written to them asking for a list of the addresses and types of Council houses in the town. The enquirer was quite specific; he didn't want the names, only the addresses as he didn't want to fall foul of the data protection act. We had to write back and explain he couldn't have the data for three reasons; first, it would be easy to associate names and addresses using the electoral roll, second, that a number of these properties house vulnerable people, and finally this is not just an asset register, these are people's homes. We have not got to the end of this story yet, because the enquirer still thinks that he has the right to this information and has complained to the Information</p>	

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Commissioner's Office. They are thinking deeply about the matter, because they see it as a test case about the relationship between the Data Protection Act and the Freedom of Information Act. We still see it a list of people's homes.

Finally, my personal favourite was the unsuccessful contractor who wrote-in asking for the costings and service details of the winning tender so 'he could better understand how to serve the Council in future bids'. We said no.

So, what have we learned from the first year? The importance of good record keeping - even if you don't get the answer you want, you can go away happy if you know you have seen the whole story. Consistency – what applies to one applies to all. Openness – by all means make the information available, but make sure it is labelled in a way that makes sense to the world at large. Reflection – remember you can always turn a no into a yes, but once you have released some information, it is there forever.

MEMBERS' FOCUS

AREA:

CORPORATE THEME HEADING:

SUBJECT: HMO Licensing	CONTACT OFFICER: Haydn Bates
TEL/EMAIL No.: 2210	BACKGROUND PAPERS:
INFORMATION:	
<p>The Housing Act 2004 requires that certain higher risk Houses in multiple occupation require to be licensed by the local authority</p>	
<p>The basic requirements for licensing will be that anyone who manages and/or owns an HMO of 3 storeys or more with 5 or more occupants, the HMO will be subject to licensing. You will have to be a 'Fit and Proper' person to hold the licence and if you are not you can appoint someone who is. You will have to pay a fee for the licence (one fee for 5 years). The HMO will have to be up to the standards required including fire safety and the HMO will have to have the required numbers of bathrooms and kitchen facilities, in the proper layout. The Licence will have other conditions attached relating to the management, repair, etc. of the HMO. If any of these requirements are not met, the Council can take over the management of the HMO and in some cases would have a statutory duty to do so.</p>	
<p><u>Further Detail</u></p>	
<p>There are several requirements, relating to HMO licensing of which we are certain,</p>	
<ul style="list-style-type: none">▪ The Licence will run for 5 years.▪ The Licence holder will have to be a 'Fit and Proper Person' to hold the Licence. This will mean that a person cannot hold a Licence if they have:	
<p>Committed any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in schedule 3 to the Sexual Offences Act 2003 and/or,</p>	
<p style="padding-left: 40px;">Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business and/or,</p>	
<p style="padding-left: 40px;">Contravened any provision of the law relating to housing or of landlord and tenant law.</p>	
<p>There may also be other criteria, which would be subject to a code of practice, which have yet to be introduced.</p>	
<ul style="list-style-type: none">▪ The Local Authority has also to decide whether the Management arrangements of the HMO in question are satisfactory. This means whether anyone involved in the management of the HMO is sufficiently competent and whether they are 'Fit and	

MEMBERS' FOCUS

Proper' to be involved and whether management structures and funding arrangements are suitable.

- The License will specify the maximum number of households or persons that the HMO can accommodate.
- The License will carry conditions, some of which maybe:

MANDATORY

Requiring the licence holder to annually produce a gas safety certificate for the Council's inspection, if there is gas provided to the house.

To keep electrical appliances and furniture (provided by licence holder) in a safe condition and to supply upon demand to the Local Authority a declaration stating the safety of such appliances and furniture.

Requiring the licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.

To ensure any smoke alarms are installed in the house and to keep them in proper working order and to supply on demand a declaration as to the condition and positioning of these alarms.

Discretionary (though likely)

The management, use and occupation of the HMO.

Restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it (where it is deemed appropriate to do so).

Requiring facilities and equipment to be made available in the house and those facilities/equipment are kept in repair and proper working order, for example, kitchen facilities, laundry equipment, WHB's, WC's etc. (where it is deemed appropriate to do so).

Requiring any works needed in order for any facilities or equipment to be made available are done so within specified periods (where it is deemed appropriate to do so).

Requiring the licence holder to undergo training in relation to, yet to be introduced, codes of practice (where it is deemed appropriate to do so).

Requiring the licence holder to take reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house.

- Licenses can be varied and revoked subject to certain conditions.
- Applicants for Licences or where the Authority proposes to revoke or vary a Licence will be given the opportunity to make representations through a consultation period, prior to any decision on a licence.

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- Licence decisions can be appealed.
- There will be offences relating to breach of conditions of a licence and relating to running a HMO without a licence, which will carry fines ranging between to maximums of £5,000 and £20,000 depending on which conditions are breached.
- If a HMO, which should be licensed is being run without a licence then the owner/agent cannot demand rent for the HMO. Further either a Local Authority (if housing benefit is paid) or a tenant can apply for a Rent Repayment Order, which if granted orders the owner/agent to pay back the rent (for a maximum period of 12 months). Further whilst a HMO is being run without a licence then an owner/agent cannot serve a Section 21 (Housing Act 1988) Notice, i.e. a Notice to Quit.
- A person having control of or managing an HMO which requires licensing, but is not licensed can notify the Local Authority of their intention to take steps to bring the HMO out of the boundaries of licensing, for example, reducing the number of occupants or returning the property to single household use. The Local Authority may in these circumstances issue a temporary exemption notice for 3 months (extendable for a further 3 months in exceptional circumstances). If the Authority refuses to issue this Notice the applicant can appeal.
- Where a HMO is subject to licensing requirements, but is not so licensed, (does not apply when an Authority is considering an application for a licence or if a temporary exemption notice is in force) or the Authority propose to revoke a license then the Authority has a **duty** to make a Interim Management Order (IMO), if they consider there is no reasonable prospect of the HMO being licensed in the near future or where the 'health and safety condition' is met, i.e. either where a Local Authority considers there is a need to protect the health, safety or welfare of the occupants or persons using premises in the vicinity of the HMO, or when there is a threat to evict persons occupying the HMO in order to avoid the HMO being required to be licensed. An IMO lasts for up to 12 months and gives the Local Authority the right to manage the HMO for that period as a landlord would, taking any necessary steps to protect the tenants health, safety or welfare. The Local Authority has the right to take the rents from the property to cover its costs for managing the HMO. Any remaining balance is then paid to the landlord. The IMO prevents the landlord from receiving any rents, operating any management function over the HMO and cannot grant tenancies. The rights of an owner to sell the HMO or any rights of a mortgagee remain unaffected. If at the termination of an IMO the Authority can still not grant a licence then the Authority will have a **duty** to make a Final Management Order, which lasts for 5 years and has in principle the same affect as a IMO.
- The Council will have a duty to store information concerning HMO's with either a Licence, a Management Order or temporary exemption notice on a public register, which will be open to the public to view.

The above lists the requirements we are certain of. However, with regards to the fees for licenses or the prescribed forms for licence applications, notices, etc., these have yet to be issued or finalised. Though, in the Governments consultation on licensing they proposed a licence fee of £110 for each unit of accommodation, i.e. in the case of bedsits, each

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bedsit, or in the case of buildings converted into flats, each self contained flat.

- What constitutes a storey in determining whether a HMO is 3 storeys or more has still not been decided, though it is likely that regard will be given to attic or basement accommodation used (or capable of being used) for residential purposes. It has also been suggested that mezzanine floors could be included in the storey calculation, though this maybe open to judgement, depending on its use. Where there is a part of the building used for other purposes, for example a shop below and HMO, the shop level would be counted as a storey, though would be excluded for all other purposes. Mixed residential use, will also be taken into account, for example a self contained flat in the basement, with two storeys of HMO use above, would be a 3 storey HMO.

Buildings converted into flats will only fall within the definition of an HMO if the conversion was not carried out in accordance with the 1991 Building Regulations and still does not comply with them. Buildings converted in accordance with the 1991 Building Regulations or the Regulations thereafter are not HMO's. In addition, buildings converted into flats are not HMO's when two thirds or more of the flats are owner-occupied.

Note. It is possible that the Government will exempt buildings converted into flats from Licensing requirements, though this has yet to be confirmed.

If you would like any further information please contact

Haydn Bates
Public Health and Housing Manager
Ext 2210

MEMBERS' FOCUS

AREA:

CORPORATE THEME HEADING: Create a Better Place to Live, Work and Play

SUBJECT:	CONTACT OFFICER: Rob Atkins
TEL/EMAIL No.:	BACKGROUND PAPERS:
INFORMATION:	

Challenges facing Braintree DC Housing - Letter from Rob Atkins to all tenants and leaseholders in the Braintree District

Dear tenant/leaseholder

Challenges facing Braintree DC Housing

Over the past 12 months the Council has been working with tenants and leaseholders to carry out a thorough review of the future of your homes, and the choices open to us to find the money we need for their improvement.

This showed that the Council doesn't have anything like enough money to improve all your homes. To meet even the basic standard set by the Government, we need to raise at least an extra £51 million up to 2010 and a total of £160 million over the next 30 years.

The clear recommendation that came out of this detailed review was to ballot all our tenants about transferring the homes to a brand new, local housing association – one that would be specially set up for our tenants and leaseholders.

So why is the Council suggesting this? After a very careful study of all the facts, we believe this is the best option for you because it would:

- bring in the money needed to improve all our council homes
- allow us to protect and improve your housing services
- give you more say over how your homes and neighbourhoods are managed
- put extra money into tackling local issues like vandalism, graffiti and other anti-social behaviour
- offer a real chance for more affordable homes to be built in the District in the future

If transfer doesn't go ahead, we would be forced to make cutbacks and services would certainly suffer. There would simply not be enough money to

MEMBERS' FOCUS

improve your homes, nor to maintain our housing and other Council services as they are now.

Cutbacks have happened in other Councils where there has been a 'no' vote. Cutbacks are **not** what the Council wants for our tenants and staff.

This is one of the most important decisions that you will ever have to make. It's vital that you understand what it means for you and your home, and that you don't rely on rumours, misinformed comments and reports in the media, or misleading leaflets pushed through your letter box.

Campaigning organisations can write whatever they want, whether or not the information they use is accurate or fair. Before the Council sends any new information out, our solicitors and many others check that all the information we use is **completely** accurate (including this letter!).

Over the coming months we will be organising special events and meetings where you can raise any questions and concerns. Our new look monthly newsletter '*Talking Transfer*' will also give you important information and updates.

For more information you can also call the Council on our **free** telephone help-line on 0800 781 1344, or you can call SOLON, your independent tenant adviser, **free** on 0800 169 4406.

Make sure you find out the facts for yourself, because you will make the decision about transfer when you choose to vote 'yes' or 'no' in the ballot. **Please make sure it's the right decision for you.**

Yours sincerely



Rob Atkins
Deputy Chief Executive

MEMBERS' FOCUS

AREA:

CORPORATE THEME HEADING:

SUBJECT:	CONTACT OFFICER: Roger Bramwell
TEL/EMAIL No.: Ext 2919	BACKGROUND PAPERS:
INFORMATION:	
Improving Customer Service	
<p>The following information has been provided to Parish Councils through the Parish Cluster briefing notes.</p>	
<p>The Customer Service Centre:</p>	
<p>At Causeway House we have now integrated the telephone switchboard with the Customer Service Centre and as a result most callers now get what they want with the first person they speak to without being passed onto someone else. The customer advisers have access to a wide range of information and can answer queries on 131 different subjects, ranging from pest control to advice on the Freedom of Information Act. Advisers can make appointments for many services, and if a customer has called before, they'll know when, why and what needed to be done. The customer service centre now takes around 380,000 calls a year, and most callers get what they need there and then.</p>	
<p>The telephone number for all Council enquiries is 01376 55 2525.</p>	
<p>Texting service:</p>	
<p>Last December Braintree Council went live with a new system offering customers a service where they can receive a text message to remind them of an appointment they have booked, for example, a quick reminder the night before to put out items for their special collection, or of dates and times of their housing repair visits. In the long term, the system will offer the option for residents to be alerted of any changes to refuse collections as a result of unforeseen circumstances.</p>	
<p>Anyone can now also text in to the Council about any issue.</p>	
<p>The text number to remember is: 07797 803 203 and the request will be processed by the Customer Service Centre.</p>	
<p>First Floor Reception move:</p>	
<p>Earlier this month after over twenty years of customers having to walk up to the first floor reception at Causeway House, all enquiries can now be dealt with on the ground floor. This means we are one step nearer meeting our aim of providing a one-stop shop on the ground floor.</p>	

MEMBERS' FOCUS

New look Witham Library:

From 3rd April Essex County Council and Braintree District Council will be working side by side to provide a combined service under one roof at Witham Library. This new improved service will provide an easy, more direct access to Council information and to a greater number of Council services.

The aim of the move is to provide customers with access to a wider range of both Essex County & Braintree District Council services and to resolve more customer queries first time at the first point of contact. Staff at the Library will have access to a joint information system and will be able to help solve customer queries quickly, on the spot.

For more information about any of the above contact Roger Bramwell, Head of Customer Service on 01376 55 1414 – Just say the name.

MEMBERS' FOCUS

News

Councils join forces to fight climate change

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Two north Essex councils (Uttlesford and Braintree district councils) have become the first councils in the county to commit themselves to fighting climate change by signing the "Essex Declaration", at the eco-friendly Discovery Centre at Great Notley on Friday 27th January.

Based on the Nottingham Declaration, the Essex version pledges both authorities to actively tackle climate change by working together and with other partners and their local communities.

The councils will work to reduce green house gas emissions by reducing energy costs, congestion, improving the local environment and tackling fuel poverty.

Cllr Mark Gayler, leader of Uttlesford district council, is excited by what the future holds.

"It's a landmark day for both councils as we publicly declare our intentions to become the environmental guardians of our respective areas of north Essex.

"The future of our environment is dependent on partners working together to ensure the well being of our district. We will do everything we can to reduce green house gas emissions and will vigorously fight anyone or anything that compromises that.

"It is equally exciting to find ourselves working closer with our neighbour Braintree District Council. I am sure we will both learn much as we work together.

Cllr Graham Butland is leader of Braintree DC and comments: "We used to ask about the financial implications of all our decisions, but now we shall want to know about the environmental impact of decisions made by the council. This signing is just the beginning, and while both councils already have a commendable record of practical energy improvements, there is still a long way to go."

ENDS

Notes to editors

See separate 'Energy Saving Factsheet' listing the record to date. Several photographs are available, by e-mail today, or on disc.

For further details contact: Communications and PR Officer James Sadler on 01799 510619 or 07752 059507 or Chris Trim on 01376 557752.

Issued by: Braintree DC PR 27 January 2006

MEMBERS' FOCUS

News

Government urged to clarify policy over ownership of council homes

Page 1 of 1

Fringe discussion at the Labour party spring conference, on the future of council housing, has sparked urgent calls for clarity over government policy on whether councils can continue to own housing, while raising the money needed to meet the government's investment targets by 2010.

Council leader Graham Butland has written to deputy prime minister John Prescott requesting specific assurances regarding any possible review and its impact on the 'Decent Homes Standard'. It has been suggested that a review could take 18 months, which would threaten the validity of the planned ballot of tenants and risk wasting the hundreds of thousands of pounds already committed to making the process fair and thorough.

Cllr Graham Butland comments: "We know how important this is for tenants. We have been open and honest at every stage. If the government is about to change the rules at this late stage and offer a further option, I want to make sure it is given the same careful consideration as the existing options. To do this we need to know what the government's policy will be." **Cllr**

Butland adds: "I shall work closely with our MP Brooks Newmark, who will press for clearer government policy and I intend to advise fellow councillors of these latest developments at the next meeting of full Council on Monday evening."

ENDS

Notes: expenditure on the process over the past three years is approaching £750,000 and with current commitments will be greater. Many other councils are in the same position across the country.

For more information contact: Chris Trim (01376) 557752

For more press information, contact: Chris Trim on 01376 557752

Issued by: Braintree DC PR 14 February 2006

MEMBERS' FOCUS

News

Halstead's leisure centre is really fit for all

Page 1 of 1

Halstead Leisure Centre now meets the Sport England (IFI) standard for equality of access for all users, aiming to encourage people with disabilities or mobility problems to use centres like Halstead to improve their health, fitness and confidence. The next nearest is in Clacton, making Halstead the best suited centre for north Essex and south Suffolk.

Staff have been trained to know how best to help and advise people with disabilities: to ensure they can use equipment and fitness routines appropriately and safely. The centre now aims to provide equal access and opportunity to all users; with all equipment and facilities fully approved or appropriately adapted.

The IFI (Inclusive Fitness Initiative) scheme aims to give equal opportunity for disabled people, regardless of where they live, to fitness facilities and equal enjoyment of leisure centres and the courses they offer.

Many local people took the opportunity to come and try the upgraded facilities.

New user Vivien Vidler of Halstead (photo available) comments: "It's a lovely place, it really should be better known and I was made very welcome by the staff – they are excellent staff. I've been disabled for seven years and there aren't many places you can go, so it's great to have one like this on your doorstep. I even went swimming for the first time in several years."

Gerry Woodard is chairman of the district Access Group and is pictured cutting a ribbon to mark the completion of the improved facilities. He said: "The greatest thing in the world for everyone, is to keep fit."

ENDS

The photos show Vivien Vidler using upper body strength exerciser, without leaving her wheelchair. Also Gerry Woodard, chairman of the Braintree District Access Group and Pauline McAllister, the IFI 'activator' – one of several staff now trained to be aware of special needs of different users. While the new centre building itself is already fully accessible for all users, part of the Sport England funding has been used to upgrade fitness equipment, train staff and provide increased marketing and awareness of the facilities available.

For regular visits, local groups can organise transport through the community transport office at the council. (01376 327357) Qualifying residents and their carers can have a £3 leisure card – offering half price (some much less) use of any facilities. Qualifying leisure card holders living outside the district just pay a £1 a week for the same half price privileges and you can ask at any of the district council leisure centres for information. Carers also qualify.

For more press information, contact: Chris Trim on 01376 557752

Issued by: Braintree DC PR 23 January 2006

MEMBERS' FOCUS

News

Prepare now.... to win in 2012

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In what may have been the first such meeting in Essex, to raise awareness of the need to prepare for the **2012 London Olympic** games; local business, council and education leaders from across the Braintree District met to share ideas about the opportunities and challenges presented by the Games. Introduced by local radio presenter **Dave Monk**, **Cllr Tim Wilkinson** welcomed Paralympic 800m gold medal winner **Danny Crates**, who offered an insight to the enormous scale of the event, the impact on the regional and national economy and the impression it makes on visitors and competitors alike.

With just six years to go, the purpose of the meeting was to identify the possibilities and to see what the whole district might wish to see as a lasting legacy of the Games. Cllr Tim Wilkinson emphasised: "It's not just about a few weeks in the summer of 2012, it's as much about what people want to see achieved in time for the Olympics, and to last for many years afterwards."

He added: "There's a formal process for deciding which teams train where and we need to be pushing now at the right doors."

Many ideas and questions were raised: from support for local athletes to transport, accommodation and translations for visiting teams and spectators.

One of the outcomes identified was the need for a local directory and web site, so that more people could see what is already available, what will be needed and how ideas can be turned into reality, along with details of what funding will be available.

ENDS

Notes: At the meeting on 13th Jan, the mix of first hand accounts and questions raised left the 68 delegates with the clear impression that the scale of need and demand for facilities and services is likely to take the region by surprise, unless local organisations and businesses make a thorough appraisal of the opportunities. It is estimated that nationally, over 80,000 volunteers will be needed and trained for the games and from one delegate's personal experience, five years after the Games in Sydney, the buzz and benefit continues to influence Australian society.

Photographs from the evening are available.

For more information or to contact individuals who attended, contact: Russell Everard or Chris Trim on 01376 551414

Issued by: Braintree DC PR 16 January 2006

MEMBERS' FOCUS

News

Recycle and win cash

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Another winner! Mr Roy Fitch from Braintree is one of this week's 12 recyclers in Essex to win £100. Mr Fitch, who lives in Chelmer Road, simply put out his recycling for collection on Tuesday and was picked at random by Braintree District Council.

Unfortunately, Mr Fitch was not in when the recycling team called round to give him the good news, but he had a nice surprise when he returned to find a card on his front door mat congratulating him on his £100 win.

Councillor Michael Gage said, "Congratulations to Mr. Fitch, our first winner and thank you to everyone taking part by recycling their refuse, please continue to recycle as much as you can. Each week until the end of March one of our lucky residents will win £100 just by recycling and at the same time they will be helping to improve our environment."

The Recycle and win Cash competition is running from the 6th February until 31st March to encourage people to recycle. All residents have to do is put their recycling out for collection following the Council's guidelines - and they are in with a chance of winning £100 doubling to £200 in the last two weeks. It couldn't be easier. There are 12 winners each week from across the county. The more a household recycles, the better the chance of winning.

A donation of up to £2,000 will be made to Little Havens Children's Hospice depending on how much Essex residents recycle over the competition period, the more that is recycled the bigger the donation. For more information visit www.recycleforessex.co.uk. Or call Contact Essex on 0845 603 7625.

For clear sacks and other information on your recycling collection contact the Customer Service Centre on 01376 552525.

ENDS

For more press information contact: Ros Alam 01376 551414 – just say the name

Issued by: Braintree DC PR 7 February 2006

Notes to Editors: The competition is funded using a £90,000 grant from the Department for Environment, Food and Rural Affairs (DEFRA) and is open to residents living in the Districts or Boroughs of Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Epping Forest, Harlow, Maldon, Rochford, Southend and Thurrock. The competition excludes Uttlesford and Tendring.

MEMBERS' FOCUS

News

Are you involved?

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Braintree District Council has now published a revised version of its Statement of Community Involvement following extensive consultation with local people and organizations.

Last October residents and over 1,500 relevant local organizations were asked how they preferred to be consulted and how involved they would like to be in the new planning system to be introduced over the next three years. All comments received were considered before the revised version of the SCI was published and submitted for independent examination to the Secretary of State.

Together with details of the consultation undertaken, the revised Statement can be seen at council offices in Braintree, Halstead and Witham, on the Council website or in local libraries across the District. Using the comment form available at council offices and libraries or the on-line form at www.braintree.gov.uk, those interested have until the Thursday 9th March to send their views to Planning Policy, Development Services, Braintree District Council, FREEPOST, CL427, Braintree, Essex CM7 9BR or e-mail to sciconsultation@braintree.gov.uk

Cabinet member Wendy Scattergood comments: "The SCI is about involving local people and listening to their views so that they can have more influence under the new planning system. We are keen to hear from local groups and organisations to ensure their involvement."

ENDS

For more press information, contact: Paul Munson, Head of Forward Planning, on 01376 551414 – just say the name.

Issued by: Braintree DC PR 27 January 2006

MEMBERS' FOCUS

AREA: DEMOCRATIC SERVICES

CORPORATE THEME HEADING: PLANNING

SUBJECT: Planning Appeals	CONTACT OFFICER: Alison Webb
TEL/EMAIL No.: 01376 551414 Ext. 2614 alison.webb@braintree.gov.uk	BACKGROUND PAPERS: Nil
INFORMATION: To provide details of recently lodged planning appeals and appeal decisions.	

INFORMATION: APPEALS LODGED

Appellant: Mr D Smith
Site: Land adj. to Otters Holt, Hill Farm, Tilbury Road, Ridgewell
Development: Erection of new barn for storage of farming implements
Application No: 05/01025/FUL
Start Date: 29th December 2005

Appellant: Vodafone
Site: Land between Bridge Farm and Park Farm, off New Road, Kelvedon
Development: Erection of 15m high lattice mast, complete with 6 no. antennas, 2 no. 600mm diameter dish antennas, radio equipment housing and ancillary development
Application No: 05/01975/T56
Start Date: 17th January 2006

Appellant: Mr and Mrs P Cummings
Site: Land adjoining The Old Tythe Barn, 7 Acorn Avenue, Braintree
Development: Erection of 2 no. detached dwellings and garages
Application No: 05/02090/FUL
Start Date: 18th January 2006

Appellant: Mr R Schartau
Site: Land rear of Derwent and Auckland Maldon Road, Witham
Development: Proposed erection of 3 bedroom bungalow with new access from Maldon Road
Application No: 05/01701/FUL
Start Date: 19th January 2006

MEMBERS' FOCUS

Appellant: Mr W Buckley
Site: Land at corner of Halstead Road and Hovis Mill Lane. Sible
Hedingham
Development: Erection of a detached house and garage
Application No: 05/01376/OUT
Start Date: 27th January 2006

INFORMATION: APPEAL DECISIONS

Appellant: Broomfield Developers Ltd
Site: Tillwicks Farm Cottages, Halstead Road, Earls Colne
Development: Proposed extension and alterations to convert 2 no. existing
semi-detached dwellings into 7 no. flats, together with
parking/turning area, detached carport building and new
vehicular access
Application No: 05/00348/FUL
Decision & Date: DISMISSED 18th January 2006

Appellant: Mr and Mrs A P Austin
Site: Weirstock Farm, Wakes Colne Road, White Colne
Development: Proposed demolition of existing single storey rear extension
and construction of two storey rear extension
Application No: 05/00816/FUL
Decision & Date: WITHDRAWN 24th January 2006

Appellant: Ms Denise Beasley
Site: 12 Greenfield, Witham
Development: Erection of first floor extension to create one additional flat
Application No: 05/00551/FUL
Decision & Date: DISMISSED 25th January 2006

Appellant: Mr R Newman
Site: Land adj. Woodhouse Nursery, London Road, Hatfield Peverel
Development: Erection of three bedroom bungalow
Application No: 05/01362/OUT
Decision & Date: DISMISSED 27th January 2006

Appellant: Mr H C Bishop
Site: The Angel Inn, 33 Notley Road, Braintree
Development: Erection of proposed flats
Application No: 05/00834/OUT
Decision & Date: DISMISSED 27th January 2006

February 2006

MEMBERS' FOCUS

Appellant: Mr R Azevedo
Site: Land adj. to 35 Chaucer Crescent, Braintree
Development: Erection of a dwelling
Application No: 05/00576/OUT
Decision & Date: DISMISSED 27th January 2006

Appellant: Marchfield Developments Ltd/Triple Developments Ltd
Site: Land at Thatchers Way/Priory Lane, Great Notley (GV21)
Development: Erection of neighbourhood centre – mixed development of retail and residential
Application No: 05/00511/FUL
Decision & Date: DISMISSED 30th January 2006

Appellant: Mr S Voke
Site: Tudor Cottage, 27 The Street, Rayne
Development: Erection of detached house
Application No: 05/01073/OUT
Decision & Date: DISMISSED 30th January 2006

Appellant: Enterprise Rent-A-Car
Site: Site 4A, Galleys Corner, Braintree Road, Cressing
Development: Erection of 4 no. shop signs and 1 no. pole sign all illuminated
Application No: 05/01439/ADV
Decision & Date: ALLOWED 1st February 2006

Appellant: Mr L Wilson
Site: 15 East Mill. Halstead
Development: Extension to form a separate dwelling unit
Application No: 05/01268/FUL
Decision & Date: DISMISSED 2nd February 2006

Appellant: Mr M Carter
Site: Prested Hall, London Road, Feering
Development: Erection of temporary marquee with no amplified music from May until September (2005, 2006, 2007 inc.)
Application No: 05/00285/FUL
Decision & Date: ALLOWED 2nd February 2006

MEMBERS' FOCUS

AREA: All

CORPORATE THEME HEADING: Public Protection and Healthy Living

SUBJECT: Braintree Community Hospital Update	CONTACT OFFICER: Sara Moutard Head of Policy
TEL/EMAIL No.: 2362 sara.moutard@braintree.gov.uk	

In light of the concern about the future of the proposed Community Hospital in Braintree, the Witham, Braintree and Halstead Care Trust were asked to provide an update on the current situation.

In order that Members can be kept up to speed on this issue the information received from the Care Trust is set out verbatim below.

“A press release was produced on the scheme before Christmas explaining the progress with the scheme and this memo is to bring things up to date.

The community hospital scheme is a partnership between Broomfield hospital and the Care Trust. Broomfield hospital will be running the diagnostic services, outpatients and maternity services with the Care Trust providing a range of community and intermediate care services. At the moment Broomfield is still settling it's main private finance scheme with the Department of Health. Assuming this all goes ahead alright, then they will be in a position to confirm the range of services going into the new community hospital. It is worth remembering that the St Michael's site is owned by Broomfield so they are a key player. Broomfield are keen to make progress with Braintree community hospital so that they can provide their full range of services.

We are currently in fairly delicate discussions with the developer, Mid Essex Hospitals and the regional Private Finance Initiative (PFI) advisers working through the private finance process and the content of the scheme. To satisfy the rules for spending public money the scheme has to be affordable, provide best value and pass through all sorts of tests.

Some new ideas have been emerging over the last months to make the scheme as attractive as possible to get through all these hurdles, including how the rest of the St Michaels site is used. These include how the proposed new GP surgeries will fit with the rest of the scheme. The whole PFI process does take a long time to get through but if it is not done thoroughly then the scheme would be knocked back at a later date.

These delays might seem incomprehensible to both staff and the public but they are there to prevent schemes being built which do not fit the bill or are too expensive to open. The team at the Care Trust and at Broomfield are committed to getting the best scheme off the drawing board and into bricks and mortar and we are making steady progress.

MEMBERS' FOCUS

We will then need to take this through a full business case process to the Strategic Health Authority. These discussions will take approximately 4-6 weeks to complete”.

A follow up question to the Care Trust was raised about the fact that a Final Business Case for the hospital had already been completed approximately two years ago. The Care Trust responded as follows:

“A number of things have come into and gone out of the project over the last two years. In particular the way that intermediate services is developing is much more about supporting people in their own home and avoiding admission. The Rapid Assessment Unit had not started two years ago and now is one of the main planks of intermediate care. We have just taken an intermediate care-commissioning plan thorough the two Boards and I enclose this for your information. (Note for Members – this document is fairly lengthy but if anyone would like a copy please let me know)

We are waiting for the acute hospital to confirm the significant stake they have in the new scheme and they have been held up by the PFI process for the main hospital which is still not confirmed.

We are slightly at the mercy of a changing health policy environment. For instance in July 2005 we were being advised to divest all provider services by 2008 whereas the latest advice is that this will not be mandatory.

The current Outline Business Case is two years old and will need refreshing (can be done currently with the FBC) and a Full Business case will have to be extremely robust to get through the scrutiny to which it will be subject”.

If you have any queries please do not hesitate to contact Peter Kohn whose contact details are set out below.

Sara Moutard
Head of Policy

Cabinet Portfolio Holder
Lead Member
Officer Contact

Councillor Wendy Schmitt
Councillor Lady Patricia Newton
Sara Moutard – Head of Policy

Witham, Braintree and Halstead Care Trust
Contact

Peter Kohn
Tel: 07876 451951
E-mail:
peter.kohn@braintreecaretrust.nhs.uk

Prepared by: Sara Moutard

MEMBERS' FOCUS

AREA: Community Safety & Development

CORPORATE THEME HEADING: Meeting Community Needs

SUBJECT: Halstead & Braintree Community Safety Roadshow	CONTACT OFFICER: Jayne Wakeling
TEL/EMAIL No.: Ext 2330 jayne.wakeling@braintree.gov.uk	BACKGROUND PAPERS:
<p>INFORMATION:</p> <p>A further two Community Safety Roadshows will take place across the district during February half term week, with Halstead on the Monday 13th February in Weavers Court (outside the Solar store) and Braintree on the 15th February in George Yard (under the bandstand).</p> <p>The emphasis is on educating members of the public on Community Safety & Anti Social Behaviour issues and raising awareness of intervention and enforcement. A range of exhibition boards will be on display covering a variety of topics,</p> <p>Displays include information on the following subjects:</p> <ul style="list-style-type: none"> No. of Noise Abatement Notices No of Notices Served Seeking Possession No. of Housing Possessions ABCs ASBOs No of ASBO Breaches Bicycle thefts (including Bicycle Security Coding) Purse thefts (prevention tips) Motor cycle nuisance Motor vehicle seizure Road Safety Halstead & Braintree 'Topical Areas' at respective roadshow Flytipping (prosecutions/fines) Dog fouling (No. of Fixed Penalty Notices) Abandoned vehicles (prosecutions/fines) Reporting Domestic Violence/Hate Crime <p>Other information/projects:</p> <ul style="list-style-type: none"> National Association Crime & Rehabilitation of Offenders (NACRO) Football in the Community Millie Dowler - Promoting personal safety in children and young adults. Reality Roadshow Crucial Crew Benefit Fraud Community Soft Ball Essex Young People Drug and Alcohol Service Neighbourhood Watch Parenting & Adolescent Programme Local & district projects 	

MEMBERS' FOCUS

Officers from Community Safety, Environmental Services and Housing will be hand throughout the day to engage with members of the public and respond to any enquiries.

Young people will be invited to take part in a colouring competition (under 10s) and a quiz (10 -16Yrs). In addition we will be circulating flyers and leaflets providing tips and advice on a variety of aspects in Community Safety.

Come along and join us on the day to learn more about what's happening across the district to tackle Community Safety issues.

A further Members Focus will follow in March providing feedback and outcomes of the roadshow events.

Prepared by Jayne Wakeling – ASB Liaison Officer Ext 2330

MEMBERS' FOCUS

AREA: DEMOCRATIC SERVICES

CORPORATE THEME HEADING: SURVEY

SUBJECT: Councillor Representation on Outside Bodies	CONTACT OFFICER: Sarah Cocks
TEL/EMAIL No.: 01376551414 sarah.cocks@braintree.gov.uk	BACKGROUND PAPERS: None
INFORMATION: For those of you that have not done so yet, could I remind you please to return your survey to me as soon as possible. Also, please add your name at the top. Many thanks.	