

Minutes

Cabinet

3rd December 2007



Present:

Cabinet Members	Portfolio	Present
Councillor G Butland	Leader	Yes
Councillor N R H O Harley	Deputy Leader and Cabinet Member for Enterprise and Infrastructure	Yes
Councillor Mrs J C Beavis	Community Support and Engagement	Yes
Councillor M C M Lager	Resources and Performance	Yes
Councillor Mrs J W Schmitt	Public Protection and Healthy Living	Apologies
Councillor R G Walters	Environment and Sustainability	Yes

Deputy Cabinet Members	Portfolio	Present
Councillor N G McCrea	Leader's Portfolio	Apologies
Councillor T S Wilkinson	Enterprise and Infrastructure	Yes
Councillor Mrs E Edey	Community Support and Engagement	Yes
Councillor J McKee	Resources and Performance	Yes
Councillor W Rose	Public Protection and Healthy Living	Yes
Councillor R G S Mitchell	Environment and Sustainability	Yes

The following Councillors were also present as invitees of the Leader

Councillor J E Abbott, Leader of the Green Group (until 8.20pm)

Councillor Dr R L Evans, Leader of the Labour Group

Councillor M G Gage, Chairman of the Overview and Scrutiny Committee/Leader of Halstead Residents' Association

Councillor S M Walsh, Chairman of Braintree Local Committee

Councillors E R Lynch and D Mann were also in attendance.

Apologies for absence were also received from Councillor R J Bolton, Chairman of the Halstead Local Committee and Councillor T J W Foster, Chairman of the Witham Local Committee.

The Chairman welcomed everyone to the meeting and advised that the meeting was being webcast.

72 DECLARATIONS OF INTEREST

Councillor M C M Lager declared a personal interest in

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Those minutes identified by the prefix ** may be the subject of the "call-in" provisions of the Constitution within 6 working days of the publication of these minutes. Any decisions made and not "called in" by this date and time will become effective. For further information regarding these minutes please contact Eileen Self, Democratic Services, on 01376 552525 or email eileen.self@braintree.gov.uk

- (i) Agenda item 5(a) – Draft Medium Term Financial Strategy 2008/09 to 2011/12 as a Member of Essex County Council who are to lease part of Silver End Village Hall that is included in Capital Schemes 2008/09, and
- (ii) Agenda item 6(a) – CCTV in Town Centres in the Braintree District as a Member of Witham Town Council.

Councillor R G Walters declared a personal interest in

- (i) Agenda item 5(a) – Draft Medium Term Financial Strategy 2008/09 to 2011/12 as a Member of Essex County Council who are to lease part of Silver End Village Hall that is included in Capital Schemes 2008/09, and
- (ii) Agenda item 11(a) (Private Session) – Premature Retirement as he is a Trustee of the Museum.

Councillor W Rose declared a personal interest in Agenda item 6(a) – CCTV in Town Centres in the Braintree District as a member of Witham Town Council.

Councillor M G Gage declared a personal interest in Agenda item 6(a) – CCTV in Town Centres in the Braintree District as a member of Halstead Town Council.

Councillor S M Walsh declared a personal interest in Agenda item 5(a) – Draft Medium Term Financial Strategy 2008/09 to 2011/12 as a Member of Essex County Council who are to lease part of Silver End Village Hall that is included in Capital Schemes 2008/09.

73 **MINUTES**

DECISION: That the minutes of the meeting of the Cabinet held on 29th October 2007 be approved as a correct record and signed by the Leader.

74 **QUESTION TIME**

There were no questions asked or statements made.

75 **DRAFT MEDIUM TERM FINANCIAL STRATEGY 2008/09 TO 2011/12**

Councillor Lager, Cabinet Member for Resources and Performance, presented the draft Medium Term Financial Strategy 2008/09 to 2011/12 (Update), and the Supplementary Paper – with the finance settlement from Government to be advised. The Capital Receipt from the Large Scale Voluntary Transfer (LSVT) of homes from the Council to Greenfields Community Housing in November, is now on deposit and a clear strategy will be determined in the spring on this revenue.

A new scheme on Concessionary Fares for people over 60 years where tickets can be used, not just in Essex, but across the country was advised, and it is proposed that all Councils in Essex have the same scheme, including the bus pass being valid from 9.30am, and not 9.00am as at present. Consultation on this issue had recently taken place at the Overview and Scrutiny Committee on 28th November 2007, and the draft minutes were tabled indicating their recommendations.

The proposed new demands for Capital Schemes include the refurbishment of the first floor of Silver End Village Hall for an accommodation project with Essex County Council as a drop-in centre and for various repairs and refurbishments at Bramston Sports Centre, Witham.

Councillor Lager moved the revised recommendations presented at the meeting.

The Leader advised, in response to a query regarding the S106 contribution with Wimpy Homes, that funding is available for a replacement pavilion building in Silver

Street, Silver End and for the refurbishment of the first floor of Silver End Village Hall. However, it will be clarified which scheme will receive the S106 funding. Councillor Abbott referred to proposed Capital Schemes and requested reassurance that consultation with members will be undertaken on terms of sustainability. Councillor Lager advised this would occur through Overview and Scrutiny Committee, and at the next Council meeting. Councillor Mitchell advised that the Local Authority Carbon Management Programme would be finalised at the end of March 2008 in relation to this topic. It was noted that DCL Leisure at Braintree Leisure Centre had installed lighting that is not spent on the night sky.

Councillor M Gage, Chairman of the Overview and Scrutiny Committee, referred to the draft minutes of that Committee of 28th November 2007, and the recommendations that (1) the bus pass for the new Concessionary Fares scheme remain at 9.00am, as at present, and (2) that the Council continue to offer the non-statutory companion pass for the companions of disabled persons. In context of budget scrutiny the Committee also raised issues on the Local Area Agreement (LAA) and the need for transparency so Members can exercise their democratic right to comment on proposals. It was also requested that details of the complete list of bids be available to all members – not just Cabinet Members.

Councillor Lager confirmed there will be opportunities for comments, and continued to explain the reasoning behind the 9.30am arrangement on the concessionary fares scheme, i.e. in line with most Essex authorities and compliance with the nationwide scheme. The continuance of a companion pass was supported. With regard to the LAA it was recognised that this is a developing area, subject to further considerations. The availability of all bids also found support. The recommendations of Overview and Scrutiny will be included in the decision-making process and formulated in the final budget proposal document.

Councillor Dr Evans requested clarification (under Proposed Capital Schemes) that all three pools at Bramston Sports Centre, Witham would be retiled. The Leader advised officers would provide the information. The project definition to the concrete columns at Bramston was also queried, and that the proposed Options Appraisal Study would address this. With regard to the Strategy Workshop and the findings of the survey on the Council providing good value for money recording 39% in favour, it was recognised that there was work to do with the public to address the 61% against.

DECISION:

- (1) That the revenue growth items for 2008/09 as part of the budget setting process be supported. These are
 - (i) those set out in Appendix A of the Supplementary Paper
 - (ii) Local Committee allocations (subject to final review)
 - (iii) Strategic Housing as a result of transfer (subject to final review)
 - (iv) Leisure Management costs previously agreed by Cabinet
 - (v) Concessionary Fares (subject to final report)

- (2) That the following factors that are within the council's control for budget planning purposes be supported -
 - (i) Efficiency Factor – increase from 2% to 3%
 - (ii) That fees and charges be increased by 3% for budget planning purposes only

- (iii) Salary increase be planned at 2.5%
 - (iv) Other inflation (linked to RPI) – average 3.5%
- (3) That a detailed review of current estimates and efficiency opportunities continue to address the 2008/09 shortfall
 - (4) That the Capital Growth items for 2008/09 as set out in Appendix D be supported
 - (5) That the allocation of £60,000 from the Planning Delivery Grant for feasibility studies for the regeneration of the town centres in Braintree, Halstead and Witham be agreed.
 - (6) That an Options Appraisal Study be commissioned regarding the future of Bramston Sports Centre, Witham.
 - (7) Based upon the financial predictions, that the Cabinet Members and management review current budgets to achieve efficiencies of approximately £500,000 for the 2009/10 revenue budget. These to be reported to Cabinet on an ongoing basis to feed into the 2009/10 budget setting process.

RECOMMENDED to Council:-

- (8) That funding, as detailed in the supplementary paper, for the refurbishment of the first floor of Silver End Village Hall, be approved.

ACTION POINTS:- Clarification of (i) which scheme at Silver End to receive the S106 funding from Wimpy Homes (Cllr Abbott), and (ii) the number of pools to be retiled at the Bramston Sports Centre, Witham (Cllr Dr Evans)

76 **PERFORMANCE REPORTS**

- (i) Quarterly Performance Report for Quarter Two 2007/8

The Cabinet received the report on the performance indicator outturns for the period 1st July to 30th September 2007 (Quarter Two). It was considered that performance figures on recycling (Page 26 of report) could be made clearer to show, in one place, the total performance i.e. 35-40%.

Councillor Abbott queried the decline in performance (Quarter One to Quarter Two) on determination of planning applications, i.e. 96% to 76% on major applications, and 76% to 65% on minor applications. It was noted that all planning applications considered at the fortnightly Planning Committee had been determined (no deferrals) and, therefore, it is not Members affecting the performance statistics.

Councillor Harley, Cabinet Member for Environment and Sustainability, advised of staff changes in the Planning Department, the use of consultants, and stated that, in the Third Quarter, performance is on an improving trend and the slippage is being addressed.

The Leader stated that he had requested reports to the next Cabinet meeting on five of the indicators marked red. These are BV82a(i), BV84a, BV109b, HLP4 and BV79b(ii).

- (ii) Financial Performance Report – April to September 2007

The Cabinet received details of the Council's financial performance for the first half of 2007/08.

DECISION:

- (1) That the Quarterly Performance Report for Quarter Two 2007/8 be noted.
- (2) That the Financial Performance Report April to September 2007 be noted.

ACTION POINTS: That officers (i) provide the total recycling performance more clearly, and (ii) provide reports to the next Cabinet meeting on the indicators stated above.

77 **HOUSING TRANSFER PROGRAMME BOARD – 31ST OCTOBER 2007**

Consideration was given to the minutes of the Housing Transfer Programme Board of the 31st October 2007 meeting. Members queried how issues from tenants of Greenfield Community Housing (GCH) can be handled and requested a protocol/list of contact names.

DECISION: That the minutes of the Housing Transfer Programme Board meeting of 31st October 2007 be noted.

POST MEETING NOTE: Management of GCH provided a contact list to Councillors on 4th December 2007.

78 **PERFORMANCE & EFFICIENCY PROGRAMME**

- (i) Performance & Efficiency Programme

Councillor Butland stated that the Performance & Efficiency Programme had been reviewed and it was proposed that the Programme Board be extended to cover performance and all the efficiency projects that the Council has embarked upon. It was suggested that the Programme Board consists of eight Members – five of the controlling group (with two being non-Cabinet members) and three from the other groups. The Leader advised that consideration would be given to accept 'substitutes' for the other group members.

- (ii) Performance & Efficiency Programme Board – 30th October 2007

The Cabinet received the minutes of the above meeting.

DECISION:

- (1) That the extended role, as set out in the diagram contained in the report, be agreed and the membership of the Performance & Efficiency Programme Board be reviewed to support the expanded role, by increasing the Board membership to eight members – five of the controlling group and three from other groups.

- (2) That the minutes of the Performance and Efficiency Programme Board of 30th October 2007 be noted.

79 **CCTV IN TOWN CENTRES IN THE BRAINTREE DISTRICT**

The Leader presented a report on the provision of CCTV in the town centres of the Braintree District with the following proposals

- To upgrade the CCTV monitoring system in Braintree from analogue to digital, including controls, plus an additional two cameras
- To upgrade and update the CCTV system at Witham from analogue to digital
- To install a four-camera scheme in Halstead town centre.

Councillor Butland advised that discussions had been held between officers, the Cabinet Member for Public Protection and Healthy Living, partners, Councillors and the local Police to provide the most effective and efficient way to supply CCTV in these areas.

The Leader was pleased to announce that Item 2 of the recommendations with regard to requesting a contribution of £26,000 from each Local Committee had been revised, and the Council are now able to provide funds centrally from the Capital Budget. Therefore, it would be with the Local Committee to decide whether they wish to dedicate further funding from their resources for improvements to CCTV in their local area.

Councillor Mrs Beavis, Cabinet Member for Community Support and Engagement, requested that officers formally advise Halstead Town Council, Witham Town Council, the three Local Committee Chairmen, and the local Town Strategy Panel/Group, of the decisions on CCTV and to clarify the situation in their area.

Councillor Walsh, Chairman of Braintree Local Committee, referred to an earlier email and the initial proposal of recommendation 2 to request contributions from each Local Committee on what was considered to be a central function. Therefore, Councillor Walsh welcomed the revised recommendation and the option for each Local Committee to provide additional funds on CCTV in their area.

Councillor M Gage stated that at no time had Halstead Town Council been consulted on CCTV, together with Halstead Local Committee, the Halstead Crime Prevention Panel and the Chamber of Trade. It was also noted that additional revenue costs (Page 3 of report) are the responsibility of the District Council – not the Town Council. The Leader stated that Halstead had the opportunity to develop the CCTV scheme further in their town centre.

DECISION:

- (1) That the CCTV monitoring system in Braintree be upgraded; a new system in Halstead be installed, and communications with the Witham scheme be upgraded.
- (2) That an additional sum of £78,000 is provided from the Capital Account towards provision of CCTV in the town centres of the Braintree District.

- (3) That financial regulations regarding competitive tendering be suspended, and a negotiated contract sum with the incumbent supplier be approved.
- (4) That the Cabinet Member for Public Protection and Healthy Living be given delegated authority to vary the proposals following further discussions with Witham and Halstead Town Councils.

ACTION POINT: That Town Councils, Local Committee Chairmen, and the local Town Centre Strategy Panel/Groups are advised on this issue.

80 **DELEGATED DECISIONS**

That the following delegated decisions be noted:

- (1) Councillor Lager – to sign-off the Asset Management Plan 2007;
- (2) Councillor Harley – to approve the Village Design Statement for (i) Earls Colne, and (ii) Rayne.

81 **REPORTS FROM CABINET MEMBERS ON ISSUES THAT NEED TO BE BROUGHT TO THE CABINET’S ATTENTION**

There were no reports.

EXCLUSION OF PUBLIC AND PRESS

DECISION: 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 paragraphs 1& 3 of Part 1 of Schedule 12 (A) of the Act.

Whilst the following items of business were discussed in private session, the minutes do not contain any confidential information and are therefore admissible in the public domain.

82 **PREMATURE RETIREMENT OF MEMBER OF STAFF

Councillor Lager, Cabinet Member for Resources and Performance, presented the report for the premature retirement of a member of staff under the Council’s existing premature retirement policy.

DECISION: That the premature retirement of the member of staff as defined in the report be supported.

****83 ASSET MANAGEMENT – PROPOSED DISPOSAL OF REDEVELOPMENT SITE AT RIVERSIDE / ST JOHNS AVENUE, BRAINTREE**

Councillor Lager, Cabinet Member for Resources and Performance, stated that the Riverside / St Johns Avenue site in Braintree had been extensively marketed following outline planning consent for the development of 114 residential units being granted. The report contained details of the bids received and to declare the redevelopment site surplus to requirements.

Councillor E R Lynch joined the table and requested (i) that the site is developed as a whole and not in 'parcels', and (ii) that the right of way/right of thoroughfare that has been used by local residents/commuters between Notley Road and the station be maintained during and after development of the site.

Councillor Lager advised that these issues would be taken into account when the S106 Agreement was agreed.

DECISION:

- (1) That the redevelopment site at Riverside / St Johns Avenue, Braintree be declared surplus to requirements.
- (2) That disposal of the redevelopment site at Riverside / St Johns Avenue, Braintree to the company quoted and the sum stated in the report, or on such other terms and conditions as agreed by the Asset Manager and approved by the Cabinet Member for Resources and Performance, be approved.
- (3) That delegated authority be granted to the Cabinet Member for Resources and Performance to approve disposal to such other prospective purchaser and on such other terms and conditions as deemed appropriate should the proposed sale to the company quoted in the report not proceed for whatever reason.

84 REPORTS FROM CABINET MEMBERS ON ISSUES THAT NEED TO BE BROUGHT TO THE CABINET'S ATTENTION (PRIVATE SESSION)

There were no reports.

The meeting commenced at 7.15pm and closed at 8.28pm

G BUTLAND

(Leader)