



# Annual Council

## Agenda

### Part One

#### Council Chamber

Wednesday, 11 June 2014 at 7.00 pm

#### **Membership (Quorum – 10)**

To: Councillors Aspinell, Baker, Barrett, Carter, Chilvers, Clark, Cloke, Mrs Coe, Mrs Cohen, Mrs Davies, Faragher, Mrs Henwood, Hirst, Mrs Hones, Hossack, Mrs Hubbard, Keeble, Kendall, Kerslake, Le-Surf, Lloyd, McCheyne, Mrs McKinlay, Morrissey, Mrs Murphy, Mynott, Dr Naylor, Newberry, Parker, Quirk, Reed, Russell, Ms Sanders, Sapwell, Sleep, Ms Squirrell and Tee

*Members are respectfully summoned to attend the above meeting to transact the business set out below.*

**Committee Co-ordinator:** Jean Sharp, Ext 2655



### Point of Order/Personal explanation/Point of Information

For clarity, relevant sections of Rule 8 of the Council's Procedure Rules (Part 4.1 of the Constitution) are set out for Members' information below:

#### 8.3.14 Point of order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

#### 8.3.15 Personal explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

#### 8.3.16 Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.



## **Information for Members of the Public**

### **Access to Information and Meetings**

You have the right to attend all meetings of the Council and its Boards and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk) or from Democratic Services (01277 312739).

### **Webcasts**

All of the Council's meetings are webcast, except where it is necessary for the items of business to be considered in private session (please see below).

If you are seated in the public area of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you can sit in the upper public gallery of the Council Chamber.

### **Private Sessions**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Board or Committee does so, you will be asked to leave the meeting.

### **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

### **Access**

There is wheelchair access to the Town Hall from the Main Entrance. There is an induction loop in the Council Chamber.

### **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.

## **Part I**

(During consideration of these items the meeting is likely to be open to the press and public)

- 1. Apologies for Absence**
- 2. Mayor's Announcements and Presentations**
- 3. Designate a Mayor for the ensuing municipal year**
- 4. Designate a Deputy Mayor for the ensuing municipal year**
- 5. Receive any declarations of interest from Members and Officers**
- 6. Brentwood Borough Council Elections**

The Managing Director will report the results of the elections.

- 7. Political Groups on the Council**

The Managing Director will report receipt of Notices served on her by Members under the provisions of the Local Government (Committees and Political Groups) Regulations 1990.

- 8. Designate a Leader and Deputy Leader of the Council**
- 9. Leader's statement**

The Leader of the Council will make a statement.

- 10. Committees and their Terms of Reference**
- 11. Political Balance, Allocation of Committee Seats and Committee Appointments**
- 12. Committee Calendar for 2014 -15**
- 13. Appointment of Representatives on Outside Organisations**
- 14. Members Allowances 2014-15**
- 15. Appointment of Monitoring Officer**
- 16. Urgent business**

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'MJE' followed by a period.

Managing Director

Town Hall  
Brentwood, Essex  
27.05.2014



**11 June 2014**

**Annual Council**

**Election of Mayor for 2014/15**

**Report of:** *Leanna McPherson – Governance and Member Support Officer*

**Wards Affected:** *All*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 Annual Council are asked to elect a Mayor to serve for the Municipal Year 2014/15.

## **2. Recommendation**

- 2.1 To elect a Mayor for the Municipal Year 2014/15**

## **3. Introduction and Background**

- 3.1 The Mayor is elected by the Council annually to service for a period of one municipal year in accordance with the procedure as set out in Appendix B of the Constitution.
- 3.2 The role of Mayor is an important one. By virtue of their position the Mayor is the First Citizen of the Borough, a member of the Council and its ceremonial head. As part of this role the Mayor will represent and promote the Borough at events both within and outside the Borough.
- 3.3 The Mayor is also the Chair of the Council meetings and ensures that the meeting is conducted in accordance with legal procedures and the Council's constitution.
- 3.4 Members will be aware that the selection of Mayor for this Municipal Year is contested and therefore an election day for elected Members will be held on Tuesday 3<sup>rd</sup> June. The results of the ballot will be issued to Members shortly afterwards.

- 3.5 Once the election has taken place the newly elected Mayor takes the Declaration of Acceptance of Oath.
- 3.6 Following the declaration, the meeting will be adjourned to allow the newly elected Mayor to robe.
- 3.7 On the return of the Mayoral party the Mayor will make some announcements including nomination of their chosen charities of whom they will work with during the Mayoral year.
- 3.8 The Mayor is accompanied on events by a Consort. This person is officially recognised at the Council.
- 3.9 After the Mayor's Consort is announced, the outgoing Consort will invest the incoming Consort with the badge of office.
- 3.10 The Mayor will then ask the Leader to propose a vote of thanks to the outgoing Mayor. Other Members will also be asked to speak on the vote of thanks. The Past Mayor will then be presented with the Past mayor's badge and gifts from officers.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The process for election of Mayor and appointment of Deputy Mayor as set out in appendix B of the Constitution has been followed to ensure a fair process.

#### **5. Reasons for Recommendation**

- 5.1 The position of Mayor is an apolitical one but is essential to promoting the goals, vision and services of the Council.

#### **6. Consultation**

- 6.1 Elected Members of the Council were asked to nominate a Member for the role of Mayor for the Municipal Year 2014/15.

#### **7. References to Corporate Plan**

- 7.1 None

#### **8. Implications**

##### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services  
**Tel & Email** 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 8.1 There are no direct financial implications arising from the election, save for the Allowances as agreed elsewhere on this agenda.

**Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer  
**Tel & Email** 01277 312860/ david.lawson@brentwood.gov.uk

- 8.2 The Council is required annually to elect a Mayor and appoint a Deputy Mayor in accordance with Sections 3 and 5 respectively of the Local Government Act 1972.
- 8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

**9. Background Papers**

None

**10. Appendices to this report**

None

**Report Author Contact Details:**

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**11 June 2014**

**Annual Council**

**Appointment of Deputy Mayor for 2014/15**

**Report of:** *Leanna McPherson – Governance and Member Support Officer*

**Wards Affected:** *All*

**This report is:** *Public*

**1. Executive Summary**

- 1.1 Annual Council are asked to appoint a Deputy Mayor to serve for the Municipal Year 2014/15.

**2. Recommendation**

**2.1 To appoint a Deputy Mayor for the Municipal Year 2014/15**

**3. Introduction and Background**

- 3.1 The Mayor is appointed by the Council annually to service for a period of one municipal year in accordance with the procedure as set out in Appendix B of the Constitution.
- 3.2 The role of Mayor is an important one. By virtue of their position the Mayor is the First Citizen of the Borough, a member of the Council and its ceremonial head. As part of this role the Mayor will represent and promote the Borough at events both within and outside the Borough.
- 3.3 The Deputy Mayor supports the Mayor in their role during the Municipal Year.
- 3.4 A nomination will be made and seconded for Council to appoint Cllr Keeble as Deputy Mayor for the Municipal year 2014/2015.
- 3.5 Once the election has taken place the newly appointed Deputy Mayor takes the Declaration of Acceptance of Oath.

- 3.6 The Deputy Mayor is accompanied on events by the Deputy Mayoress. This person is officially recognised at the Council. The Deputy Mayoress for 2014/15 will be Mrs Sandra Keeble.
- 3.7 After the Deputy Mayoress is announced, the outgoing Consort will invest the incoming Consort with the badge of office.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The process for election of Mayor and appointment of Deputy Mayor as set out in appendix B of the Constitution has been followed to ensure a fair process.

#### **5. Reasons for Recommendation**

- 5.1 The position of Deputy Mayor is an apolitical one but is essential to promoting the goals, vision and services of the Council.

#### **6. Consultation**

- 6.1 Elected Members of the Council were asked to nominate a Member for the role of Deputy Mayor for the Municipal Year 2014/15.

#### **7. References to Corporate Plan**

- 7.1 None

#### **8. Implications**

##### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services

**Tel & Email** 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 8.1 There are no direct financial implications arising from the election, save for the Allowances as agreed elsewhere on this agenda.

##### **Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email** 01277 312860/ david.lawson@brentwood.gov.uk

- 8.2 The Council is required annually to elect a Mayor and appoint a Deputy Mayor in accordance with Sections 3 and 5 respectively of the Local Government Act 1972.

- 8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

9. **Background Papers**

None.

10. **Appendices to this report**

None.

**Report Author Contact Details:**

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# Agenda Item 6

Election results will follow.

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**11 June 2014**

**Annual Council**

**Designation of Leader and Deputy Leader of the Council**

**Report of:** *Alison Crowe, Managing Director*

**Wards Affected:** *All Wards*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 The Constitution states that it is a function of the Council to designate the Leader and the Deputy Leader of the largest political group as the Leader of the Council.

## **2. Recommendations**

- 2.1 **The Council is requested to designate/elect a Leader of the Council.**
- 2.2 **The Council is requested to designate/elect a Deputy Leader of the Council.**

## **3. Introduction and Background**

- 3.1 Article 4 of the Constitution requires that the Leader of the largest political group be designated Leader of the Council.
- 3.2 Chapter 4 of the Constitution, the Council procedural rules, also requires that both the Leader and Deputy Leader be designated from the largest group (standing order 2.1).

## **4. Reasons for Recommendation**

- 4.1 By law, Council decisions should comply with the Constitution.

## **5. Consultation**

- 5.1 Article 12 of the Constitution requires that any amendments to the Constitution will normally only be considered by the Council following a report and recommendations from the Constitution Working Group (CWG) and having received the advice of the Monitoring Officer. A

meeting of the CWG is to take place on 28.5.2014 and any proposed changes will follow as a supplementary agenda.

**6. Reference to Corporate Plan.**

Not applicable.

**7. Implications**

**Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services

**Tel & Email** 01277 312712/jo-anne.ireland@brentwood.gov.uk

- 7.1 There are no direct financial implications arising from this report, save for the respective Allowances as agreed elsewhere on this agenda.

**Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email** 01277 312860/david.lawson@brentwood.gov.uk

- 7.2 These are set out in the body of the report.

- 7.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

**8. Background Papers**

None.

**Report Author Contact Details:**

**Name:** Jean Sharp – Governance and Member Support Officer

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**11 June 2014**

**Annual Council**

**Committees and their Terms of Reference**

**Report of:** *Alison Crowe, Managing Director*

**Wards Affected:** *All Wards*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 The Council is requested to formally establish those committees it considers necessary to fulfil its functions in the ensuing municipal year, in accordance with the requirements of both legislation and the Council's Constitution.

## **2. Recommendations**

- 2.1 **That the Committees listed in paragraph 4.1 of this report be established for the 2014-15 municipal year, with their terms of reference being those set out in Chapter 3 of the Constitution, subject to the alternative recommendations of the Constitution Working Group.**

## **3. Introduction and Background**

- 3.1 The Local Government Act 1972 made provision for the Council to appoint Committees for the discharge of the functions of the Council.
- 3.2 The Localism Act 2011 brought a renewed focus on appropriate governance models and structures for local authorities.

## **4. Issue, Options and Analysis of Options**

### **4.1 Committee Structure**

The Council is requested to formally establish those Committees considered necessary to fulfil the functions of the Authority during the forthcoming municipal year, in accordance with the requirements of both

legislation and the Constitution. The current committee structure consists of:

- Strategy and Policy Board
- Community Services Committee
- Performance and Resources Committee
- Overview and Scrutiny Committee
- Planning and Development Committee
- Licensing Committee (and Licensing Sub-committee)
- Audit Committee

In accordance with Article 12 of the Constitution any changes to the committee structure will be considered by Council following recommendations from the Constitution Working Group meeting which is to take place on 28.5.2014. Any proposed changes will follow in a supplementary document.

## **5. Reasons for Recommendation**

- 5.1 The Council is recommended to establish appropriate Committees for the 2014-15 municipal year in order to facilitate the efficient discharge of its functions and that their terms of reference be those contained within the Constitution.
- 5.2 A clear process for policy development is required.

## **6. Consultation**

- 6.1 The Managing Director has consulted with Leaders of the established political groups.

## **7 References to Corporate Plan**

- 7.1 Establishing those Committees it considers necessary to fulfil its functions, in accordance with the requirements of both legislation and the Constitution, should enable the Council to discharge those functions in a timely, open and transparent manner for the benefit of the residents of the Borough in accordance with the Corporate Plan 2013-16.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services

**Tel & Email:** 01277 312712/jo-anne.ireland@brentwood.gov.uk

- 8.1 The cost of servicing these committees will be met through the existing budgets.

**Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email** 01277 312860/david.lawson@brentwood.gov.uk

8.2 These are set out in the body of the report.

8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None.

**10. Appendices to this report**

There are no appendices to this report.

**Report Author Contact Details:**

**Name:** Jean Sharp

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11 June 2014

## Annual Council

### Political Balance, Allocation of Committee Seats and Committee Appointments

**Report of:** *Alison Crowe, Managing Director*

**Wards Affected:** *All Wards*

**This report is:** *Public*

#### 1. Executive Summary

1.1 This report requests the Council to:

- a) agree the size of the Boards/committees established under agenda item 10;
- b) approve the allocation of seats on Boards/committees;
- c) receive the nominations of political groups and make appointments to Boards/committees;
- d) appoint the Chairs and Vice-Chairs of Boards/committees.

1.2 A meeting of the Constitution Working Group has been arranged for Wednesday 28 May, after publication of the agenda. Any proposed amendments may have implications of the calculations and if necessary a supplementary report will be published.

#### 2. Recommendations

**2.1 Subject to the Council's decision on the establishment of Committees under agenda item 10, the size of the Board and Committees and the allocation of seats as set out in Appendix A be approved.**

**2.2 That the nominations of the political groups on Committees be approved as set out in Appendix B (to be tabled when nominations are received).**

**2.3 That the Chairs and Vice-Chairs of Committees be appointed, as set out in Appendix C (to be tabled when nominations are received).**

#### 3. Introduction and Background

3.1 Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when

two or more Councillors notify the Managing Director, as Proper Officer, of their wish to be treated as a group.

- 3.2 Section 15 of the Local Government and Housing Act 1989 imposes a duty on the Local Authority at the annual meeting, or as soon as possible after it, to review the allocation of seats on the committees of the Council between the political groups. The Council may carry out such a review and any other time and may do so if requested by a political group.
- 3.3 The following principles apply to the allocation of seats:
- (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
  - (b) That the majority of seats on each committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - (d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 3.4 The Licensing Sub-Committee is not governed by political balance rules.
- 3.5 The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
- 3.6 Any non-aligned members are to be appointed to available seats on committees by the Council.
- 3.7 It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Summons, and a decision would need to be made with no one voting against it. The remainder of this report therefore assumes that the Council will not want an alternative arrangement to that prescribed by law.

### **Political proportionality**

- 3.8 The political balance of the Council can be calculated by using the simple formula below (to two decimal places):

$$\frac{\text{No. of Group Members} \times 100}{37}$$

- 3.9 Following the local elections held on 22 May 2014, the political balance of the Council is set out in Table 1 below:

<b>Group</b>	<b>Councillors</b>	<b>%</b>
Conservative	18	48.65 %
Liberal Democrat	11	29.73 %
Brentwood First	4	10.81 %
Labour	3	8.11 %
Non-Aligned Councillors	1	00.0%
<b>Total</b>	<b>37</b>	<b>100.00%</b>

- 3.10 In order to calculate political proportionality for the Committees, the Council needs to agree the number of seats on each Committee and the total number of seats available on all Committees. There are currently 15 seats on the Planning Committee which is large for a Planning Committee. Across Essex, the average Planning Committee membership is 27% of total elected Councillors. A smaller committee would encourage a more strategic, cross-borough approach and enable Councillors to engage in thinking and speaking on behalf of all residents. Taking the approach, across Essex, 27% of the membership would be 10 to 11 members for Brentwood. It is proposed that Planning Committee would be reduced to 11 Members and this is the figure that has been included in the calculations for political proportionality. The total number of seats would reduce from 88 to 84. See Appendix A.

- 3.11 The calculation to determine the strict entitlement of political groups to seats on committees is as follows:

$$\frac{\% \text{ from Table 1}}{100} \times \text{Total No. of seats available (84 seats)}$$

- 3.12 Those Councillors who are not members of political groups have no legal entitlement to an allocation of seats on committees. However, the political groups are entitled to their proportion of seats and once their entitlement has been reached, the remaining seats may be filled by Councillors not belonging to a political group. Such Councillors are classed as being non-aligned.
- 3.13 The LGA Independent Group has taken the view that in the true spirit of the Act, that morally or democratically, non-aligned Councillors are entitled to fair representation. Groups are not entitled to have more than their share and thus they cannot exclude Councillors that are not grouped i.e. single party Councillors or non-aligned Independent Councillors. For example in an authority of 37 Councillors with one non-grouped Councillor, the Council must make 1/37 of the places available.

#### 4. Issues, Options and Analysis of Options:

4.1 As stated in 3.10, the number of seats on committees that are available to be allocated amongst the political groups represented on the Council is 84.

4.8 Each of the political groups (formed when 2 or more Councillors notify the Managing Director, as Proper Officer, of their wish to be treated as a group) are entitled to a certain number of seats on committees. This is based upon their percentage representation on the Council as a whole, as detailed in Table 1 at paragraph 3.9 above.

4.9 The calculation to determine the entitlement of political groups to seats on committees is as follows:

$$\frac{\% \text{ from Table 1}}{100} \times \text{Total No. of seats available (84 seats)}$$

4.10 After undertaking the above calculation for each of the political groups represented on the Council, the strict entitlement to seats is as follows:

- Conservative 41 seats
- Liberal Democrat 25 seats
- Brentwood First 9 seats
- Labour 7 seats

4.11 Each of the political groups are only entitled to their proportion of seats and once this entitlement has been reached, any remaining seats may then be filled by those Councillors not belonging to a political group (2 seats). As no one group has a majority of seats on the Council, principle (b in 3.3) does not apply.

4.12 In order to ascertain the number of seats to be allocated to political groups on each committee, the following calculation is required to be undertaken:

$$\frac{\% \text{ from Table 1}}{100} \times \text{No. of committee places available}$$

4.13 After applying the above calculation (to two decimal points) to each of the committees under the current committee structure set out in Agenda Item 10, the following results can be seen:

(a) 13 member committee – applies to Strategy & Policy Board, Community Services Committee and Performance and Resources Committee

- Con 48.86 / 100 x 13 = 6.32 = **6 seats**
- LD 29.73 / 100 x 13 = 3.86 = **4 seats**
- BF 10.81 / 100 x 13 = 1.41 = **1 seats**

- Lab  $8.11 / 100 \times 13 = 1.05 = \mathbf{1 \text{ seats}}$

- From the above calculations, 1 seat on each of the committees remains to be allocated. This will be allocated following the manual adjustments that are required, as explained in paragraph 4.16 of this report.

(b) 11 member committee – applies to the Planning & Development Control Committee

- Con  $48.86 / 100 \times 11 = 5.35 = \mathbf{5 \text{ seats}}$
- LD  $29.73 / 100 \times 11 = 3.27 = \mathbf{3 \text{ seats}}$
- BF  $10.81 / 100 \times 11 = 1.19 = \mathbf{1 \text{ seats}}$
- Lab  $8.11 / 100 \times 11 = 0.89 = \mathbf{1 \text{ seats}}$

From the above calculations, 1 seat on the committee remains to be allocated. This will be allocated following the manual adjustments that are required, as explained in paragraph 4.16 of this report.

(c) 15 member committee – applies to the Licensing Committee

- Con  $48.86 / 100 \times 15 = 7.30 = \mathbf{7 \text{ seats}}$
- LD  $29.73 / 100 \times 15 = 4.46 = \mathbf{4 \text{ seats}}$
- BF  $10.81 / 100 \times 15 = 1.62 = \mathbf{2 \text{ seats}}$
- Lab  $8.11 / 100 \times 15 = 1.22 = \mathbf{1 \text{ seats}}$

From the above calculations, 1 seat on the committee remains to be allocated. This will be allocated following the manual adjustments that are required, as explained in paragraph 4.16 of this report.

(d) 12 member committee – applies to the Overview & Scrutiny Committee

- Con  $48.86 / 100 \times 12 = 5.84 = \mathbf{6 \text{ seats}}$
- LD  $29.73 / 100 \times 12 = 3.57 = \mathbf{4 \text{ seats}}$
- BF  $10.81 / 100 \times 12 = 1.30 = \mathbf{1 \text{ seats}}$
- Lab  $8.11 / 100 \times 12 = 0.97 = \mathbf{1 \text{ seats}}$

From the above calculations, 0 seats on the committee remains to be allocated.

(e) 7 member committee – applies to the Audit Committee

- Con  $48.86 / 100 \times 7 = 3.41 = \mathbf{3 \text{ seats}}$
- LD  $29.73 / 100 \times 7 = 2.08 = \mathbf{2 \text{ seats}}$
- BF  $10.81 / 100 \times 7 = 0.76 = \mathbf{1 \text{ seats}}$
- Lab  $8.11 / 100 \times 7 = 0.57 = \mathbf{1 \text{ seats}}$

From the above calculations, 0 seats on the committee remains to be allocated.

- 4.14 As stated in paragraph 3.12-3.13, Councillors who are not members of a political group have no legal entitlement to an allocation of seats on the committee. However, in the spirit of the Act they should be given their fair representation. It is recommended that the Independent Member is allocated 2 seats.
- 4.15 **Appendix A** shows a rounded allocation of seats to each political group. This is then required to be manually adjusted to ensure that the number of seats allocated to a particular political group matches and does not exceed their entitlement.
- 4.16 The following manual adjustments are required:
- The Conservative Party are entitled to 2 additional seats
  - Brentwood First are entitled to 1 additional seat
  - The Independent Member is entitled to 2 additional seats.

These need to be allocated to the following Committees  
Strategy & Policy Board x 1 seat  
Community Services Committee x 1 seat  
Performance and Resources Committee x 1 seat  
Planning & Development Control Committee x 1 seat  
Licensing Committee x 1 seat

- 4.17 Between now and the annual meeting, Officers will seek agreement from the relevant Group Leaders on the allocation of their additional seats between the above committees (3 seats); the remaining two seats should be allocated to the Independent Member.
- 4.18 Group Leaders have also been requested to provide nominations to the places on committees to which their respective groups are entitled.
- 4.19 The nominations of political groups to seats on committees will be set out in Appendix B and the nominations for Chair and Vice Chair of committees will be set out in Appendix C. When nominations are received, both of these documents will be circulated at the meeting.

## **5. Reasons for Recommendation**

- 5.1 The Council is required to make the required appointments to those Committees/Board that have been established to facilitate the efficient discharge of its functions, as set out in Agenda Item 10.

## **6. Consultation**

- 6.1 A meeting of the Constitution Working Group has also been arranged for Wednesday 28 May to discuss any proposed amendments to the constitution or committee structure. If any changes to the number of

committees or the size of the committees, the political proportionality calculations will need to be revised.

- 6.2 With regard to any adjustments required as set out in paragraph 4.15, consultation will be undertaken in respect of this report with the Leaders of each of the political groups represented on the Council. Their agreement will need to be obtained to the calculations relating to the allocation of seats on the Committees/Board to take account of final adjustments, and their respective nominations will be put before the Council for approval.

## **7. References to Corporate Plan**

- 7.1 Appointing Members to those Committees/Board established at Agenda Item 10, in accordance with the political balance of the Council and associated allocation of seats on committees, will enable the Council to properly discharge its functions and work towards achieving the priorities set out in the Corporate Plan 2014-16.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services

**Tel & Email:** 01277 312712/ jo-anne.ireland@brentwood.gov.uk

- 8.1 The cost of servicing these committees will be met through the existing budgets.

### **Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email:** 01277 312860/david.lawson@brentwood.gov.uk

- 8.2 These are set out in the body of the report.

- 8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None.

## **10. Appendices to this report**

- Appendix A – Allocation of Seats

- Appendix B – Nominations of political groups to seats on Committees (to be circulated at the meeting)
- Appendix C – Appointment of Chairs and Vice-chairs of Committees (to be circulated at the meeting).

**Report Author Contact Details:**

**Name:** Jean Sharp

**Telephone:** 01277 312655

**E-mail:** jean.sharp@brentwood.gov.uk



Brentwood BC

No-Majority  
Proportionality

Party Group		Conservative		Liberal Democrat		Brentwood First		Labour		Ungrouped/ Seats to allocate
Committee	Size of Committee	Strict entitlement	Rounded Entitlement	Strict entitlement	Rounded entitlement	Strict entitlement	Rounded entitlement	Strict entitlement	Rounded entitlement	
Strategy & Policy Board	13	6.32	6	3.86	4	1.41	1	1.05	1	1
Community Services Committee	13	6.32	6	3.86	4	1.41	1	1.05	1	
Resources Committee	13	6.32	6	3.86	4	1.41	1	1.05	1	
Overview & Scrutiny Committee	12	5.84	6	3.57	4	1.30	1	0.97	1	
Planning & Development Control Committee	11	5.35	5	3.27	3	1.19	1	0.89	1	1
Licensing Committee	15	7.30	7	4.46	4	1.62	2	1.22	1	
Audit Committee	7	3.41	3	2.08	2	0.76	1	0.57	1	0
Total seats		39	39	25	25	8	8	7	79	5
Adjustments		2	2	0	0	1	1	0	0	

Total  
37



**11 June 2014**

**Annual Council**

**Calendar of Meetings for 2014-15**

**Report of:** *Alison Crowe, Managing Director*

**Wards Affected:** *All Wards*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 This report requests the agreement of the Council to the schedule of ordinary meetings of the Council and those Committee that have been established at Agenda Item 10 for the 2014-15 municipal year.

## **2. Recommendation**

- 2.1 That the Calendar of Meetings attached as Appendix A for 2014-15 be approved.**

## **3. Introduction and Background**

- 3.1 In accordance with the Constitution, it is the Council's function to agree at Annual Council the date, time and place of ordinary meetings of Council and its committees for the coming municipal year.

## **4. Issue, Options and Analysis of Options**

- 4.1 Once the calendar of meetings has been approved, a notice is published on the notice board at the front of the Town Hall five clear working days before each meeting takes place. This acts as the official notice of the meeting and in addition, information relating to all meetings to be held is available on the Council's website.
- 4.2 If any changes are made to the published notice by the Proper Officer such as a new meeting being arranged or a meeting being cancelled, further notices will be issued and information will be updated on the Council's website.

Appendix A gives a proposed Calendar of Meetings based on the Committee Structure as detailed in Item 10 of the agenda. Any recommendations regarding the Committee Structure made by the Constitution Working Group at its 28.5.2014 meeting may affect the Calendar of Meetings and, if appropriate, a revised version will be circulated as a supplementary document.

## **5. Reasons for Recommendation**

- 5.1 The Council is required to approve the schedule of meetings for 2014-15 and this will ensure that arrangements can be put in place for effective and efficient decision making throughout the municipal year.

## **6. Consultation**

- 6.1 Consultation has been undertaken with the Leaders of each of the main political groups represented on the Council.

## **7. References to Corporate Plan**

- 7.1 The Council should have a schedule of meetings in place to ensure that arrangements can be put in place for effective and efficient decision making.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Support

**Tel & Email:** 01277 312712/jo-anne.ireland@brentwood.gov.uk

- 8.1 The cost of proposals within this report can be met from existing budgets. Any increase in the number of meetings will have a direct resource implication on the officer support structure.

### **Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email:** 01277 312860/david.lawson@brentwood.gov.uk

- 8.2 There are no specific legal implications arising from this report.
- 8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

**9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None.

**10. Appendices to this report**

- Appendix A – Proposed Calendar of meetings 2014-15.

**Report Author Contact Details:**

**Name:** Jean Sharp

**Telephone:** 01277 312655

**E-mail:** jean.sharp@brentwood.gov.uk

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# **DRAFT CALENDAR OF MEETINGS**

**1 JUNE 2014 - 31 AUGUST 2015**

<b>JUNE, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>9</b>	<b>10</b>	<b>11</b> 7.00 pm Annual Council	<b>12</b>	<b>13</b>
<b>16</b>	<b>17</b> 7.00 pm Overview and Scrutiny Committee	<b>18</b> 7.00 pm Strategy and Policy Board	<b>19</b>	<b>20</b>
<b>23</b> 6.30 pm PROVISIONAL - Parish Council Liaison Meeting	<b>24</b> 7.00 pm Planning and Development Committee	<b>25</b> 7.00 pm Performance and Resources Committee	<b>26</b>	<b>27</b>
<b>30</b>				



<b>JULY, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
	<b>1</b> 7.00 pm Audit Committee	<b>2</b> 7.00 pm Ordinary Council	<b>3</b>	<b>4</b>
<b>7</b>	<b>8</b> LGA Annual Conference 7.00 pm Licensing Committee	<b>9</b> LGA Annual Conference	<b>10</b> LGA Annual Conference	<b>11</b>
<b>14</b> 7.00 pm All Member Briefing	<b>15</b>	<b>16</b> 7.00 pm Community Services Committee	<b>17</b>	<b>18</b>
<b>21</b>	<b>22</b> 7.00 pm Planning and Development Committee	<b>23</b> School Holiday Start	<b>24</b>	<b>25</b>
<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	

AUGUST, 2014				
Monday	Tuesday	Wednesday	Thursday	Friday
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25 Bank Holiday	26	27	28	29

<b>SEPTEMBER, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>1</b>	<b>2</b> School Holiday End 7.00 pm PROVISIONAL - Planning and Development Committee	<b>3</b> 7.00 pm PROVISIONAL - Strategy and Policy Board	<b>4</b>	<b>5</b>
<b>8</b>	<b>9</b> 7.00 pm PROVISIONAL - Licensing Committee	<b>10</b> 7.00 pm PROVISIONAL - Overview and Scrutiny Committee	<b>11</b>	<b>12</b>
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<b>22</b> Labour Party Conference	<b>23</b> Labour Party Conference	<b>24</b> Labour Party Conference	<b>25</b>	<b>26</b>
<b>29</b> Conservative Party Conference	<b>30</b> Conservative Party Conference 7.00 pm PROVISIONAL - Audit Committee			

<b>OCTOBER, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
		<b>1</b> Conservative Party Conference 7.00 pm PROVISIONAL - Community Services Committee	<b>2</b>	<b>3</b>
<b>6</b> Liberal Democrat Party Conference 7.00 pm All Member Briefing	<b>7</b> Liberal Democrat Party Conference	<b>8</b> Liberal Democrat Party Conference	<b>9</b>	<b>10</b>
<b>13</b>	<b>14</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>15</b>	<b>16</b>	<b>17</b>
<b>20</b>	<b>21</b>	<b>22</b> 7.00 pm PROVISIONAL - Ordinary Council	<b>23</b>	<b>24</b>
<b>27</b> School Holiday Start	<b>28</b>	<b>29</b> 7.00 pm PROVISIONAL - Performance and Resources Committee	<b>30</b>	<b>31</b> School Holiday End

<b>NOVEMBER, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>3</b>	<b>4</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>5</b>	<b>6</b>	<b>7</b>
<b>10</b>	<b>11</b> 7.00 pm PROVISIONAL - Licensing Committee	<b>12</b> 7.00 pm PROVISIONAL - Community Services Committee	<b>13</b>	<b>14</b>
<b>17</b>	<b>18</b>	<b>19</b> 7.00 pm PROVISIONAL - Strategy and Policy Board	<b>20</b>	<b>21</b>
<b>24</b>	<b>25</b> 7.00 pm PROVISIONAL - O&S Budget, Overview and Scrutiny Committee	<b>26</b> 7.00 pm PROVISIONAL - Audit Committee	<b>27</b>	<b>28</b>

<b>DECEMBER, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>1</b>	<b>2</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>3</b>	<b>4</b>	<b>5</b>
<b>8</b>	<b>9</b>	<b>10</b> 7.00 pm PROVISIONAL - Ordinary Council	<b>11</b>	<b>12</b>
<b>15</b>	<b>16</b>	<b>17</b> 7.00 pm PROVISIONAL - Strategy and Policy Board	<b>18</b>	<b>19</b>
<b>22</b> School Holiday Start	<b>23</b>	<b>24</b>	<b>25</b> Bank Holiday	<b>26</b> Bank Holiday
<b>29</b>	<b>30</b>	<b>31</b>		

<b>JANUARY, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
			<b>1</b> Bank Holiday	<b>2</b> School Holiday End
<b>5</b>	<b>6</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>7</b>	<b>8</b>	<b>9</b>
<b>12</b>	<b>13</b> 7.00 pm PROVISIONAL - Licensing Committee	<b>14</b>	<b>15</b>	<b>16</b>
<b>19</b>	<b>20</b>	<b>21</b> 7.00 pm PROVISIONAL - O&S Budget, Overview and Scrutiny Committee	<b>22</b>	<b>23</b>
<b>26</b> 6.30 pm PROVISIONAL - Parish Council Liaison Meeting	<b>27</b> 7.00 pm PROVISIONAL - Audit Committee	<b>28</b> 7.00 pm PROVISIONAL - Performance and Resources Committee	<b>29</b>	<b>30</b>

<b>FEBRUARY, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>2</b>	<b>3</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>4</b> 7.00 pm PROVISIONAL - Community Services Committee	<b>5</b>	<b>6</b>
<b>9</b>	<b>10</b> 7.00 pm PROVISIONAL - Overview and Scrutiny Committee	<b>11</b> 7.00 pm PROVISIONAL - Ordinary Council	<b>12</b>	<b>13</b>
<b>16</b> School Holiday Start	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b> School Holiday End
<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>



<b>MARCH, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>2</b> 7.00 pm All Member Briefing	<b>3</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>4</b> 6.00 pm PROVISIONAL - Assizes Trust House Trust Fund 7.00 pm PROVISIONAL - Budget, Strategy and Policy Board 7.00 pm PROVISIONAL - Ordinary Council	<b>5</b>	<b>6</b>
<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>16</b>	<b>17</b>	<b>18</b> 7.00 pm PROVISIONAL - Strategy and Policy Board	<b>19</b>	<b>20</b>
<b>23</b>	<b>24</b> 7.00 pm PROVISIONAL - Performance and Resources Committee	<b>25</b> 7.00 pm PROVISIONAL - Community Services Committee	<b>26</b>	<b>27</b>
<b>30</b> School Holiday Start	<b>31</b>			

<b>APRIL, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
		<b>1</b>	<b>2</b>	<b>3</b> Bank Holiday
<b>6</b> Bank Holiday	<b>7</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>8</b>	<b>9</b>	<b>10</b> School Holiday End
<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>
<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	

<b>MAY, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
				<b>1</b>
<b>4</b> Bank Holiday	<b>5</b> 7.00 pm All Member Briefing	<b>6</b>	<b>7</b>	<b>8</b>
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
<b>18</b>	<b>19</b>	<b>20</b> 7.00 pm PROVISIONAL - Annual Council	<b>21</b>	<b>22</b>
<b>25</b> Bank Holiday School Holiday Start	<b>26</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>27</b> 7.00 pm PROVISIONAL - Strategy and Policy Board	<b>28</b>	<b>29</b> School Holiday End

<b>JUNE, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>1</b>	<b>2</b>	<b>3</b> 7.00 pm PROVISIONAL - Licensing Committee 7.00 pm PROVISIONAL - Community Services Committee	<b>4</b>	<b>5</b>
<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>15</b>	<b>16</b> 7.00 pm PROVISIONAL - Overview and Scrutiny Committee	<b>17</b>	<b>18</b>	<b>19</b>
<b>22</b>	<b>23</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>24</b> 7.00 pm PROVISIONAL - Strategy and Policy Board	<b>25</b>	<b>26</b>
	<b>30</b> 7.00 pm PROVISIONAL - Performance and Resources Committee			

<b>JULY, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
		<b>1</b> 7.00 pm PROVISIONAL - Community Services Committee	<b>2</b>	<b>3</b>
<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>13</b>	<b>14</b>	<b>15</b> 7.00 pm PROVISIONAL - Ordinary Council	<b>16</b>	<b>17</b>
<b>20</b>	<b>21</b> 7.00 pm PROVISIONAL - Planning and Development Committee	<b>22</b> 7.00 pm PROVISIONAL - Performance and Resources Committee	<b>23</b> School Holiday Start	<b>24</b>
<b>27</b>	<b>28</b> 7.00 pm PROVISIONAL - Audit Committee	<b>29</b>	<b>30</b>	<b>31</b>

AUGUST, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31 Bank Holiday School Holiday End				

**11 June 2014**

## **Annual Council**

### **Appointment of Representatives on Outside Organisations**

**Report of:** *Alison Crowe, Managing Director*

**Wards Affected:** *All Wards*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 Councillors are appointed to a number of outside organisations at the annual meeting of the Council. Many of the outside organisations support and advance the broad objectives of the authority. Representation come about either through the authority initiating the appointment or an organisation requesting a representative being nominated or a Charity Commission rule that a Council representative is appointed.
- 1.2 The list of nominations for representatives on outside organisations is presented at the Annual Council meeting each year for Members' approval.

#### **2. Recommendations**

- 2.1 That the list of outside bodies be approved for 2014/2015 attached as Appendix A.**
- 2.1 Members are requested to approve the list of nominated representatives attached as Appendix A.**

#### **3. Introduction and Background**

- 3.1 The list of nominations for representatives on outside organisations is presented at the Annual Council meeting each year for Members' approval. Prior to Annual Council a review is undertaken and considered each year by the Overview and Scrutiny Committee to assess the value of continued representation by way of a questionnaire being sent to relevant organisations and Members.

#### **4. Issues, Options and Analysis of Options**

- 4.1 Councillors are appointed to a number of outside organisations at the annual meeting of the Council. Many of the outside organisations support and advance the broad objectives of the authority. Representation came about effected through the authority initiating the appointment, an organisation requesting a representative being nominated or a Charity Commission rule that a Council representative is appointed.
- 4.2 Brentwood Borough Council's Partnership Policy encourages effective partnership working wherever appropriate to help deliver the Council's goals and overcome constraints. The Policy aims to ensure that the Council's time is spent productively and effectively. When a councillor is appointed to an outside organisation, they act on behalf of that organisation, and may participate fully in the activities.
- 4.3 The list of nominations for representatives on outside organisations is presented at the Annual Council meeting each year for Members' approval. Prior to Annual Council a review is undertaken and considered each year by the Overview and Scrutiny Committee to assess the value of continued representation by way of a questionnaire being sent to relevant organisations and Members.
- 4.4 In 2013 an Overview and Scrutiny Task and Finish Group undertook a review of the implications of Members' representation on outside organisations.
- 4.5 The 2014 annual review to ascertain views of organisations and council representatives was undertaken in February 2014. All responses indicated Council representation was considered relevant and beneficial to both the organisation and the Council apart from three organisations which were to be removed from the list as follows:-
1. Basildon & Thurrock University Hospital, NHS Foundation Trust – Outcome of review of appointment of Governors resulted in BBC representation no longer being required.
  2. Braintree, Brentwood and Essex Regulatory Services Partnership (BBE) – group no longer meeting.
  3. Brentwood In Bloom – group disbanded.

Attached as Appendix A is the proposed list of Member representatives for 2014/15 which includes an additional representative for the Mental Health Challenge. It was resolved at the 7.4.2014 Extraordinary Council meeting that Cllr Mrs Pound should occupy the position of Elected Member, Mental Health Champion.

## **5. Consultation**

- 5.1 Outside organisations and Council representatives were consulted in February 2014 regarding the relevance of the representative's involvement with the organisation.



## **6. References to Corporate Plan**

- 6.1 Member representation on outside organisations relates directly to Priority 2 - Localism in the Council's Corporate Plan:

*'We believe that through bringing communities together and working effectively in collaboration with a range of groups and organisations we can better ensure the future wellbeing of our borough. We will work with local businesses, community groups and the voluntary sector to develop projects that will enhance and support the local community'*

## **7. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services

**Tel & Email:** 01277 312712/jo-anne.ireland@brentwood.gov.uk

- 7.1 There are no financial implications.

### **Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email:** 01277 312860/david.lawson@brentwood.gov.uk

- 7.2 It is important that Members are correctly appointed through the relevant Council meeting to ensure they are indemnified in certain circumstances.

- 7.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

8. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 8.1 Survey of Members and Organisations which are available from the report author.

## **9. Appendices to this report**

- Appendix A – List of outside bodies

**Report Author Contact Details:**

**Name:** Jean Sharp – Governance and Member Support Officer

**Telephone:** 01277 312655

**E-mail:** jean.sharp@brentwood.gov.uk

**PROPOSED APPOINTMENTS TO OUTSIDE ORGANISATIONS 2014/15**

<b>Organisation</b>	<b>Council Representative for 2013/14</b>	<b>Nomination 1 for 2014/15</b>	<b>Nomination 2 for 2014/15</b>
Active Brentwood (Community Sports and Health Communication and Networking Group)	Cllr Reed		
Brentwood Access Group	Cllr Mrs Pound		
Brentwood and District Age Concern	Cllr Mrs Henwood Cllr Mrs Davies		
Brentwood Arts Council	Cllr Mynott		
Brentwood Community Print	Cllr Hossack Cllr Tee		
Brentwood Community Safety Partnership	Cllr Hossack		
Brentwood Community Transport	Cllr Ms Golding		
Brentwood Council for Voluntary Service	Cllr Mrs Coe Cllr Tee		
Brentwood Cricket Club	Cllr Russell		
Brentwood Football Club Management Committee	Cllr Aspinell Cllr Parker Cllr Russell		
Brentwood for Growth (formerly Brentwood First)	Cllr Mrs McKinlay Cllr Reed		

Brentwood/Landkreis Roth Town Twinning Association	Cllr Mrs Coe Cllr Mrs Henwood (Mayor - President) Cllr Mrs Hones Cllr Keeble Cllr Reed (Deputy Mayor – Vice-president)		
Brentwood Leisure Trust	Cllr McCheyne Cllr Reed		
Brentwood/Montbazon Town Twinning Association	Cllr Mrs Coe Cllr Ms Golding Cllr Mrs Henwood (Mayor – President) Cllr Le-Surf Cllr Reed (Deputy Mayor – Vice-president) Cllr Tee		
Brentwood MIND	Cllr Chilvers		
Brentwood Renaissance Group	Cllr Hossack Cllr Le-Surf Cllr Mrs McKinlay Cllr Mynott		
Brentwood Rugby Club Pavilion Management Committee	Cllr Parker Cllr Sapwell Cllr Sleep		
Brentwood Theatre Trust	Cllr Le-Surf Cllr Baker		
Campaign to Protect Rural Essex - Advisory Council	Cllr Ms Golding Cllr Mrs Henwood		

Citizens Advice Bureau	Cllr Mrs Henwood Cllr Mrs Hones		
Conservators of Shenfield Common – protection of Shenfield Common.	Cllr Morrissey Cllr Parker Cllr Sleep Mr D Minns (Chair and Nominee of Lord of the Manor), Mr W Baker, Mr J Fair		
Crossroads Care	Cllr Mrs Coe		
East and West Horndon Village Hall Committee	Cllr Ms Golding		
Essex Police and Crime Panel	Cllr Hossack Sub: Cllr Parker		
ECC Local Highways Panel – membership of four County members and four BBC members	Cllrs Parker (Chair), Hossack, Russell and Sparling		
Hartswood Golf Club	Cllr Russell Cllr Lloyd		
Headley Common Trustees	Cllr Mrs Pound (4-year term expires May 2014) Cllr Tee (4-year term expires August 2014) Mr Wild (4-year term expires May 2014) Mr Murray (4-year term expires August 2014)		
Health and Wellbeing Board	Cllrs Mrs Pound Cllr Mrs Davies		
Herongate Village Hall Management Committee	Cllr Mrs Murphy		

Howard Memorial Trust	Cllr Ms Golding		
Hutton Charities	Cllr Braid (4-year term expires May 2014) Cllr Mrs Cornell (4-year term expires May 2015)		
IAA Member Working Group (Formerly Essex Waste Management Joint Committee)	Cllr Sleep		
Mental Health Champion ( Elected Member)	Cllr Mrs Pound (Agreed at Extraordinary Council 7.4.14)		
SNAP	Cllr Tee		
South Essex Parking Partnership Representative	Cllr Parker		
South Weald Parish Hall Management Committee	Cllr Mrs Coe Cllr Clarke		
South West Essex Children's Commissioning and Delivery Board (Brentwood and Basildon)	Cllr Mrs Pound		
Tenants Talkback	Chair and Vice-chair of the Community Services Committee		
Three Arch Bridge Community Hall	Cllr Morrissey Cllr Mrs Beeston		
Youth Strategy Group	Cllr Russell		

**11 June 2014**

**Annual Council**

**Members' Allowances 2014-15**

**Report of:** *Independent Remuneration Panel*

**Wards Affected:** *All Wards*

**This report is:** *Public*

## **1. Executive Summary**

- 1.2 The Council operates a Members' Allowances scheme which is reviewed annually by the Independent Remuneration Panel (IRP). The IRP have reviewed the current scheme and have made recommendations for the 2014-15 Municipal Year.

## **2. Recommendations**

- 2.1 That the Current Members Allowances be increased by 1% with effect from 11 June 2014.**
- 2.2 The allowance for the Mayor be increased by 1%.**
- 2.3 The allowance for the Deputy Mayor be increased by 1%.**

## **3. Introduction and Background**

- 3.1 The Local Authorities (Members' Allowances) (England) Regulations 2001 requires that councils establish an *Independent Remuneration Panel*. The Council cannot alter or update its existing Scheme of Members Allowances without first considering a report from an Independent Remuneration Panel.
- 3.2 Local authority elected Members are entitled to receive allowances to compensate them for the work that they do and the responsibilities they assume on behalf of the communities they serve. A 'Basic Allowance' is paid to all Members of the authority to reflect the roles that they undertake. A 'Special Responsibility Allowance', is paid to those Members that carry particular responsibilities within the Council's constitutional arrangements.

- 3.3 No additional subsistence or travel allowances are paid. However, Annual Council 2013 resolved that 'reasonable expenses' for external training and conferences be reimbursed, as required, and only with the advance agreement of the Managing Director.
- 3.4 The Independent Remuneration Panel 2014-15 comprised:
- Mr Michael Hawkins
  - Mr Noel Otley
  - Mr J Boylin
- 3.5 The deliberations of the IRP were informed by:
- Meetings with Group leaders;
  - The Council's new governance arrangements adopted in 2013;
  - Benchmarking information from Shire Districts in Essex and the 'CiPFA family group' of authorities with similar characteristics to Brentwood;
  - Desktop research;
  - The recommended 1% increase for *employees* provided by the terms and conditions of the National Joint Council for Local Government Services (NJC);
  - Previous reports and recommendations from the IRP; and
  - Further resolutions of Annual Council 2013 as set out below.
- 3.6 Annual Council 2013 made seven further resolutions, tabulated below:

<b>Resolutions of Annual Council 15 May 2013</b>	<b>Action</b>
In view of the amount of basic allowances payable totalling approximately £220,000, the Panel supported the Boundary Commission reviewing the number of members within Brentwood Borough Council. It was proposed and agreed that a benchmarking exercise be undertaken by the Overview and Scrutiny Committee regarding the number of elected members in Brentwood Council and other local authorities	The Council wrote to the Local Government Boundary Commission for England (LGBCE). After due consideration, the LGBCE were unable to schedule a review during 2013-14. The Council has again requested a review and is awaiting a response. Should the Local Government Boundary Commission for England resolve to conduct a review, the Overview and Scrutiny Committee would consider the matter as part of its work programme.
Extending the current provision within the Constitution to recognise only one minority group to two groups. Should a further group emerge, then the matter should be	The Constitution, Part 6.1, Members Allowance Scheme, paragraph 3.4.



referred back to the Panel for further consideration.	
Two Members constitutes a group	The Constitution, Part 6.1, Members Allowance Scheme, paragraph 3.3.
The allowance for the Mayor and Deputy Mayor should be reviewed as part of the annual independent review of allowances for Members.	The allowance for the Mayor and Deputy Mayor have been reviewed by the IRP.
Any changes to allowances should commence from the start of the Municipal Year – from the date of Annual Council	Resolution fulfilled by this report
Consideration should be given to reviewing Members' allowances in line with the Budget cycle. However, the Panel Members emphasised that their role and recommendations should not be used for "Political Purposes"	Early discussions with the IRP enabled provision for an increase to be incorporated within the MTFP.
Co-opted members and independent persons should be reimbursed for 'reasonable expenses' to allow for accommodation (where necessary) and travelling etc., but that all expenses should be agreed with the Managing Director in advance.	The Constitution, Part 6.1, Members Allowance Scheme, paragraph 5.1

#### **4. Issue, Options and Analysis of Options**

4.1 The IRP were mindful of the key function which Councillors perform in protecting and enhancing local democracy by providing representation on issues of local concern and ensuring that the Council remains, at all times, accountable to the local community which it serves. Accordingly, the IRP followed the same principles as 2013-14:

- the need for Councillors to come from a wide range of backgrounds;
- the necessity of ensuring some recompense for the time and effort spent in serving the community whilst recognising that the work of Councillors should include a substantial element of voluntary contribution;
- recognition of the time and resource demands of training and development, as well as other activities; and
- whilst recognising that individual Members could elect not to take their allowance in whole or part, the IRP were keen to ensure that any scheme should encourage and support local democracy by ensuring that personal financial constraints would not be a bar to office.

4.2 The options considered by the IRP included:

Option	Analysis
That members allowances for 2014-15 remain unchanged	<ul style="list-style-type: none"><li>• Members allowances had remained unchanged at the level set for 2011-12</li><li>• New governance arrangements had been adopted in 2013</li></ul>
That members allowances for 2014-15 be reduced	<ul style="list-style-type: none"><li>• An overall reduction in the cost of Members Allowances of £8306.65 had been agreed in 2013-14</li><li>• New governance arrangements had been adopted in 2013</li></ul>
That members allowances for 2014-15 be increased	<ul style="list-style-type: none"><li>• New governance arrangements had been adopted in 2013 to provide three new 'executive' committees</li><li>• A 1% increase for Members allowances had been included within the MTFP.</li><li>• The recommended 1% increase for <i>employees</i> provided by the terms and conditions of the National Joint Council for Local Government Services (NJC)</li></ul>

## 5. Reasons for Recommendation

5.1 The IRP prepared its recommendations for the following reasons:

- Members allowances had not been increased since 2011
- There had been a general increase in Members allowances at comparable Councils since 2011
- A trend amongst other Councils to recommend the application of a 1% increase in Members allowances for 2014-15.

5.2 The Local Authorities (Members Allowances) (England) Regulations 2003 require that before Council can determine its Members Allowance Scheme for the ensuing year it must consider a report from the Independent Remuneration Panel.

## **6. Consultation**

- 6.1 The IRP met with Group leaders in March 2014.

## **7. References to Corporate Plan**

- 7.1 The priority area of *A Modern Council* provided for the Council to improve its governance arrangements leading to faster, more effective decision-making. The IRP examined the changes to governance arrangements in the preparation of its recommendations.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Services

**Tel & Email** 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 8.1 A 1% increase in the Allowances represents an increase of £2,941.32 in the overall budget and will be met from the existing budget provision within the MTFP.

### **Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email :** 01277 312860/david.lawson@brentwood.gov.uk

- 8.2 This report discharges the provisions of

- The Local Authorities (Members' Allowances) (England) Regulations 2003. Statutory Instrument 2003 No. 1021.
- The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003. Statutory Instrument 2003 No. 1692
- The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2004. Statutory Instrument 2004 No. 2596

- 8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

## **9. Background Papers**

- 9.1 Annual reports of the Independent Remuneration Panel to Brentwood Borough Council 2009, 2010, 2011, 2012, 2013 are publicly available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk)

## **10. Appendices to this report**

**Appendix A** - The schedule of proposed Members Allowances is attached within the report.

### **Report Author Contact Details:**

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<b>Members Allowances 2014-15</b>					
	Number	Allowance 2013-14	Total 2013-14	Recommendations 2014-15	Recommendations 2014-15 (Totals)
Basic Allowance	37	5,950.80	220,179.60	6,010.31	222,381.47
Leader	1	13,086.25	13,086.25	13,217.11	13,217.11
Deputy Leader	1	6,317.50	6,317.50	6,380.68	6,380.68
Leader of Main Opposition	1	5,266.09	5,266.09	5,318.75	5,318.75
Leader of Minority Opposition	2	2,632.59	5,265.18	2,658.92	5,317.84
Chair of Strategy and Policy Board (Spokesperson for Transformation)	1	5,266.09	5,266.09	5,318.75	5,318.75
Chair of Community Services Committee (Spokesperson for Housing and Health)	1	5,266.09	5,266.09	5,318.75	5,318.75
Chair of Performance and Resources Committee (Spokesperson for Finance and Procurement )	1	5,266.09	5,266.09	5,318.75	5,318.75
Chair of Overview and Scrutiny	1	3,510.72	3,510.72	3,545.83	3,545.83
Chair of Planning and Development Committee (Spokesperson for Planning)	1	3,510.72	3,510.72	3,545.83	3,545.83
Chair of Licensing Committee (Spokesperson for Licensing)	1	2,707.50	2,707.50	2,734.58	2,734.58
Chair of Audit Committee (Audit and Value for Money)	1	2,707.50	2,707.50	2,734.58	2,734.58
Vice Chair of Strategy and Policy Board (Spokesperson for National Policy and New legislation)	1	2,311.32	2,311.32	2,334.43	2,334.43
Vice Chair of Community Services Panel (Spokesperson Localism and Borough Safety)	1	2,311.32	2,311.32	2,334.43	2,334.43
Vice Chair of Performance and Resources (Spokesperson for Assets and Resources)	1	2,311.32	2,311.32	2,334.43	2,334.43
Vice Chair of Overview and Scrutiny	1	957.57	957.57	967.15	967.15
Vice Chair of Planning and Development	1	957.57	957.57	967.15	967.15
Vice Chair of Licensing Committee	1	957.57	957.57	967.15	967.15
Vice Chair of Audit Committee	1	957.57	957.57	967.15	967.15
Spokesperson for Environment and Parking	1	957.57	957.57	967.15	967.15
<b>Sub total</b>			<b>290,071.14</b>		<b>292,971.96</b>
Mayor	1	3,300.00	3,300.00	3,333.00	3,333.00
Deputy Mayor	1	750.00	750.00	757.50	757.50
<b>Total</b>			<b>294,121.14</b>		<b>297,062.46</b>

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**11 June 2014**

## **Annual Council**

### **Appointment of Monitoring Officer**

**Report of:** *Alison Crowe, Managing Director*

**Wards Affected:** *All Wards*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 In accordance with the Constitution it is a Council function to confirm the appointment of the Monitoring Officer.

#### **2. Recommendation**

- 2.1 **That the appointment as Monitoring Officer of Chris Potter be confirmed as from 1 August 2014.**

#### **3. Introduction and Background**

- 3.1 The Council appoints a Monitoring Officer in accordance with Section 5 of the Local Government & Housing Act 1989.
- 3.2 Section 9.3 of Article 9 of the Constitution sets out the functions of the Monitoring Officer as follows:

(a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.

(b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Council if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) **Proper officer for access to information.** The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and

relevant reports and background papers are made publicly available as soon as possible.

(d)**Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety and probity to all members.

(e)**Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

(f) The statutory duty of the Monitoring Officer shall be performed personally or, where he/she is unable to act owing to absence or illness, personally by such member of their staff as he/she has for the time being nominated as his/her deputy for the purposes of s5 Local Government and Housing Act 1989.

- 3.3 The Staff Appointments Committee met on 14.4.14 and it was agreed that Chris Potter should be appointed as the Council's Monitoring Officer. This decision needed to be confirmed by Council.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The post of Monitoring Officer was advertised and interviews took place on 14.4.14 by the Staff Appointments Committee. It was agreed unanimously that Chris Potter should be appointed as the Council's Monitoring Officer. This decision needed to be confirmed by Council.

#### **5. Reasons for Recommendation**

- 5.1 The Staff Appointments Committee agreed unanimously that Chris Potter be appointed as Monitoring Officer.

#### **6. Consultation**

- 6.1 Not applicable.

#### **7. References to Corporate Plan**

- 7.1 Not applicable.

#### **8. Implications**

##### **Financial Implications**

**Name & Title:** Jo-Anne Ireland, Director of Strategy and Corporate Service

**Tel & Email:** 01277 312712/ jo-anne.ireland@brentwood.gov.uk

- 8.1 The costs arising from this report will be met from within existing budgets.



**Legal Implications**

**Name & Title:** David Lawson, Monitoring Officer

**Tel & Email** 01277 312860 /david.lawson@brentwood.gov.uk

8.2 The legal implications are set out within the report.

8.3 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None.

10. **Appendices to this report**

None.

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## **Members Interests**

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

## **Ordinary Council Terms of Reference**

### **Powers and Duties of the Council Matters reserved to meetings of Council**

#### **Council**

The Council is the ultimate decision making body of Brentwood Borough Council and the principal forum for major political debate. All 37 Councillors who have been elected to represent the borough attend the Council meeting.

The Council decides the overall objectives, major policies and financial strategies of the Council. It also considers recommendations from the Scrutiny and Regulatory Committees on issues of significance.

Through the Constitution, it delegates responsibility for carrying out many of the Borough Council's functions and policies to its Strategy and Policy Board and its Committees. It also agrees the membership of the Board and Committees/Sub Committees.

#### **The Council is responsible for:**

- (a) adopting and changing the Constitution;
- (b) approving or adopting the Council policies and strategies which form the policy framework;
- (c) agreeing and approving the budget;
- (d) agreeing and/or amending the terms of reference for committees and any joint committees, deciding on their composition chairmanship and making initial appointments to them;
- (e) appointing representatives to outside bodies unless the appointment has been delegated by the Council;
- (f) adopting a members' allowances scheme under Part 6;
- (g) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (h) confirming the appointment of the Head of Paid Service; Monitoring Officer; and Section 151 Officer;

- (i) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (j) all other matters which by law must be reserved to Council;
- (k) to designate the leader of the largest political group as the Leader of the Council;
- (l) adoption of the Code of Conduct for Members;
- (m) approving the making of a virement or payment from the Council's reserves for values exceeding £200,000; and
- (n) determination of other matters appropriately referred to Council.