

# Minutes

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## Annual Council

11 June 2014

### Membership/Attendance

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

\*present

### Officers Present

Ben Bix – Corporate and Democratic Services Manager  
 Ashley Culverwell – Head of Borough Health, Safety and Localism  
 Helen Gregory – Interim Head of Housing  
 Jo-Anne Ireland - Director of Strategy and Corporate Services  
 Claire Hayden – Governance and Member Support Officer  
 Paul Knight – Head of Business Transformation  
 David Lawson – Monitoring Officer  
 Leanna McPherson - Governance and Member Support Officer  
 Roy Ormsby – Head of Street Scene and Environment  
 Tony Pierce – Interim Head of Planning  
 Jean Sharp - Governance and Member Support Officer  
 Lee Taylor – Policy and Programme Manager

## **1. Apologies for Absence**

Apologies for absence were received from Alison Crowe, Managing Director, also Freeman of the Borough, Sir Trevor Brooking and the Rt. Hon. Eric Pickles MP.

## **2. Mayors Announcements**

The Mayor recounted highlights of her Mayoral Year and presented cheques to her chosen charities – the Citizen's Advice Bureau and Diabetes UK – and advised Members that a sum of money had been set aside to provide assistance for a pupil with special needs at Blackmore School.

## **3. Designate a Mayor for the ensuing municipal year**

Annual Council elected a Mayor to serve for the ensuing Municipal Year.

Nominations were received for Cllr Mrs Davies and Cllr Reed and following a vote on a show of hands it was

**RESOLVED** that

Cllr Victoria Davies be installed as Mayor for the Municipal Year 2014/15.

## **4. Designate a Deputy Mayor for the ensuing municipal year**

Annual Council elected a Deputy Mayor to serve for the ensuing Municipal Year.

Cllr Roger Keeble was nominated as Deputy Mayor and it was

**RESOLVED UNANIMOUSLY**

That Cllr Roger Keeble be installed as Deputy Mayor for the Municipal Year 2014/15.

## **5. Brentwood Borough Council Elections**

Members were advised of the results of the Brentwood Borough Council Elections which took place on 22 May 2014.

## **6. Political Groups on the Council**

Members were advised that seven notices to join a political group had been received by the Managing Director from Members newly elected to the Council on 22 May 2014.

## **7. Designation of Leader and Deputy Leader of the Council**

Annual Council designated a Leader of the Council.

The Constitution stated that that it was the function of the Council to designate the leader of the Majority Group/Largest Group on the Council to be the Leader of the Council.

At the Constitution Working Group (CWG) meeting on 28 May 2014 a proposal was put forward to amend the Constitution to read 'to elect from its Members a Leader and Deputy Leader of the Council'. The CWG considered and voted on the proposal and there was no majority agreement to put the proposal before Council.

Cllr Mynott MOVED and Cllr Morrissey SECONDED recommendation 2.1a in the report. A vote was taken on a show of hands and it was

**RESOLVED** that the Constitution be amended as follows:

- Article 4 – The Council (4.2 (k)) and Chapter 3 – Powers and Delegations (1.2 (k)) to read: *(k) to elect from its Members a Leader and Deputy Leader of the Council.*
- Glossary of Terms to read: *Leader of the Council – Leader elected from Members of the Council.*

Subsequently, Cllr Lloyd MOVED and Cllr Clark SECONDED that Cllr Barry Aspinell be designated as Leader of the Council.

A vote was taken on a show of hands and it was

**RESOLVED** that

Cllr Aspinell be designated Leader of the Council.

Cllr Chilvers MOVED and Cllr Le-Surf SECONDED that Cllr William Lloyd be designated as Deputy Leader of the Council.

A vote was taken on a show of hands and it was

**RESOLVED** that

Cllr Lloyd be designated Deputy Leader of the Council.

## **8. Leader's Statement**

Cllr Aspinell made his statement followed by statements being made by Cllr Mrs McKinlay, Cllr Lloyd and Cllr Le-Surf.

## **9. Committees and their Terms of Reference**

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

At the meeting of the Constitution Working Group (CWG) on 28 May 2014, a proposal was put forward to amend the current committee structure, as listed in Chapter 3, paragraph 4.1 of the Constitution.

A further proposed revised committee structure was received subsequent to the publication of the supplementary agenda and further meeting of the CWG held on 6 June 2014.

The recommendation in the report requested Members to consider three options for the committee structure for 2014/15 as follows:

Option 1 - Retain the current committee structure as set out in Chapter 3 of the Constitution (paragraph 4.1)

Option 2 - Establish the alternative committee structure set out in the Supplementary Report with the terms of reference in the revised Appendix A circulated at the meeting for Members' information.

Option 3 - Establish the alternative committee structure retaining a separate Planning and Development Committee and Licensing Committee as set out in Supplementary Report 2.

Cllr Lloyd MOVED and Cllr Aspinell SECONDED Option 2 and Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED Option 3 and following a full discussion and vote on a show of hands it was

**RESOLVED** that

The Council establish an alternative committee structure as set out in Option 2 as set out in the supplemental report with the terms of reference in the revised Appendix A to report 10A.

The committee structure for 2014-15 was agreed as follows:

- Finance and Resources Committee

- Housing Committee
- Environment Committee
- Asset and Enterprise Committee
- Community Committee
- Business and Town Centres Committee
- Planning and Development Committee
- Licensing Committee (and Licensing Sub-committee)
- Audit and Scrutiny Committee

For clarity the revised terms of reference are appended to these minutes.

## **10. Political Balance, Allocation of Committee Seats and Committee Appointments**

In light of the Council's resolution to adopt the alternative committee structure (Option 2) in the previous item, the size of committees and allocation of seats were considered.

Members were advised that, subsequent to the publication of Option 2 in the Supplementary Agenda, a further option was put forward in relation to the size of the committees under this structure.

In accordance with the recommendations in the report:

1. Cllr Aspinell MOVED and Cllr Lloyd SECONDED that the original proposal for Option 2 in relation to size of committees be approved.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED that the proposed revised committee sizes be approved.

Following a full discussion a vote was taken on a show of hands and it was

**RESOLVED** that

The Council approves the size of the committees as set out in Appendix B to the Supplementary Agenda report Item 11a, and the political proportionality shown in Appendix B(1) to Item 11a.

2. Cllr Mrs Davies MOVED and Cllr Aspinell SECONDED and it was

**RESOLVED** that

The nominations of the political groups on Committees before Members be approved.

3. Cllr Aspinell MOVED and Cllr Lloyd SECONDED and it was

**RESOLVED** that

The Chairs and Vice-chairs of Committees be appointed as set out in the document before Members.

(For clarity the approved nominations for committee members and chairs and vice-chairs are appended to these minutes).

4. Cllr Mrs Davies MOVED and Cllr Keeble SECONDED and it was

**RESOLVED UNANIMOUSLY**

That rule 20.2 of the Council Procedural rules of the Constitution be amended to waive the request to give notice of apologies and substitutes.

## **11. Calendar of Meetings for 2014-15**

Members were requested to agree to the schedule of Ordinary meetings of the Council and those committees approved under item 10 of the agenda for the 2014-15 municipal year.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED and it was

**RESOLVED UNANIMOUSLY**

That the calendar of meetings for 2014-15 attached as Item 12a, Appendix A to the Supplementary Agenda be approved subject to, where possible, arrangements for committee meetings avoiding dates of party conferences and no meetings being arranged during August.

For clarity the agreed Calendar of Meetings 2014-15 as appended to these minutes.

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

Councillors were appointed to a number of outside organisations at the annual meeting of the Council. Many of the outside organisations supported and advanced the broad objectives of the authority. Representation could be effected through the authority initiating the appointment, an organisation requesting a representative being nominated or a Charity Commission rule that a Council representative was appointed.

The list of proposed nominations for representatives on outside organisations was circulated before the Annual Council meeting for Members' consideration.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED the proposed list of representatives on Outside Organisations before Members.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED an AMENDMENT that consideration of the proposed representatives be deferred until the 2 July 2014 Ordinary Council meeting to allow discussion between Groups regarding the nominated representatives.

Following a discussion a vote was taken on a show of hands and the AMENDMENT was LOST.

Returning to the SUBSTANTIVE MOTION, following further discussion it was

**RESOLVED** that

Nominations to the ECC Local Highways Panel would stand since a meeting was pending but consideration of remaining nominations would be deferred to the 2 July 2014 Ordinary Council meeting provided that no meetings of the Outside Organisations were to take place in the meantime. If any meetings were to take place then Cllr Aspinell and Cllr Mrs McKinlay would discuss and decide on the appropriate Council representative to attend.

### **13. Members' Allowances 2014-15**

The Council operated a Members' Allowance scheme which was reviewed annually by the Independent Remuneration Panel (IRP).

The IRP had reviewed the current scheme and made recommendations for the 2014/15 Municipal Year.

Further to the committee structure for 2014-15 being agreed earlier in the meeting, Cllr Aspinell MOVED and Cllr Lloyd SECONDED the recommendations in the report for item 14a in the Supplementary Agenda (Members Allowances 2014-15) and following a discussion a vote took place.

At Members' request a recorded vote was taken in accordance with Rule 9.5 of the Council's Procedure Rules (Chapter 4, Part 4.1 of the Constitution). Members voted as follows:

FOR: Cllrs Aspinell, Baker, Barrett, Carter, Chilvers, Clark, Mrs Cohen, Mrs Davies, Mrs Hubbard, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mynott, Newberry, Quirk, Sapwell and Mrs Squirrel (19)

AGAINST: Cllrs Cloke, Mrs Coe, Faragher, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerslake, Mrs McCheyne, Mrs Mckinlay, Mrs Murphy, Dr Naylor, Parker, Reed, Russell, Ms Sanders, Sleep and Tee (18)

**RESOLVED** that:

1. The current Members' Allowances be increased by 1% with effect from 11 June 2014
2. The allowance for the Mayor be increased by 1% with effect from 11 June 2014.
3. The allowance for the Deputy Mayor be increased by 1% with effect from 11 June 2014.
4. That the Special responsibility Allowances as set out in Appendix A of agenda item 14a (Supplementary Agenda) be approved.

Details of agreed allowances and SRA's are appended to these minutes for clarity.

**14. Appointment of Monitoring Officer**

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

Cllr Aspinell MOVED and Cllr Lloyd SECONDED and it was

**RESOLVED UNANIMOUSLY** that

The appointment of Chris Potter as Monitoring Officer be confirmed as from 1 August 2014.

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**New Committee Structure**

**Terms of Reference**

**Functions of the Council**

Only the Council will exercise the following functions:-

- (a) adopting and approving changes to the Constitution;
- (b) adopting and amending Contract Standing Orders and Financial Regulations;
- (c) 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;
- (d) appointing representatives to outside bodies and consultative groups unless the appointment has been delegated by the Council;
- (e) adopting and amending a members' allowances scheme under Chapter 6;
- (f) to designate the Leader and Deputy Leader of the Council;
- (g) to designate the Chairs and Vice Chairs of the Council;
- (h) adoption of the Code of Conduct for Members;
- (i) electoral and ceremonial matters relevant to the Council
- (j) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (k) setting the Council's Budget and Council Tax;
- (l) approving the making of a virement or payment from the Council's reserves for values exceeding £200,000;
- (m) approving of the Council's Corporate Plan;
- (n) approving or adopting the Council policies and strategies which form the policy framework;
- (o) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (p) confirming the appointment or dismissal of the Head of Paid Service; Monitoring Officer; and Section 151 Officer;

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(q) to consider reports on cross cutting matters not expressly delegated to another Committee;

(r) all other matters which by law must be reserved to Council;

### **General Powers of Committees**

This scheme of delegation sets out the functions of the Council to be discharged by its Committees and Sub- Committees and includes the terms of reference of statutory and non statutory bodies set up by the Council.

Each committee or sub committee will have the following general powers and duties:

- (a) To carry out the duties and powers of the Council within current legislation;
- (b) To comply with the Council's standing orders and financial regulations;
- (c) To operate within the budget allocated to the committee by the Council.
- (d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council
- (e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the Committee;
- (f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (g) To consider and approve relevant service plans;
- (h) To determine fees and charges relevant to the Committee;

### **1. Finance and Resources Committee**

1. The functions within the remit of the Finance and Resources Committee are set out below.

- 1) Financial Services
- 2) Contracts, commissioning, procurement
- 3) Legal services
- 4) Health and safety at work (in so far as it relates to the Council as an employer)

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- 5) Corporate communications and media protocols
  - 6) Corporate and Democratic services
  - 7) Member Development
  - 8) Data quality
  - 9) Human resources
  - 10) Information Communication Technology
  - 11) Revenues and Benefits
  - 12) Customer Services
2. Overall responsibility for monitoring Council performance.
  3. To formulate and develop relevant corporate policy documents and strategies including the Corporate Plan.
  4. To formulate the budget proposals in accordance with the Budget and Policy Framework, including capital and revenue spending, and the Housing Revenue Account Business Plan (including rent setting for Council homes), in accordance with the Council's priorities and make recommendations to Council for approval.
  5. To formulate the Council's Borrowing and Investment Strategy and make recommendations to Council for approval.
  6. To take decisions on spending within the annual budget to ensure delivery of the Council's priorities.
  7. To approve the making of a virement or payment from the Council's reserves with a maximum value of £200,000.
  8. To approve the write-off of any outstanding debt owed to the council above the delegated limit of £5,000.
  9. To determine capital grant applications.
  10. To make recommendations on the allocation and use of resources to achieve the Council's priorities.
  11. To manage and monitor the Council approved budgets;

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12. To provide the lead on partnership working including the joint delivery of services.
13. To consider any staffing matters that are not delegated to Officers, such as proposals that are not contained within existing budgetary provision.

## **2. Business and Town Centres Committee**

The functions within the remit of the Business and Town Centre Committee are set out below:

1. To lead, consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countywide or regional economic development initiatives.
2. To promote and encourage enterprise and investment in the Borough in order to maintain and sustain the economic wellbeing and regeneration of the area.
3. To develop a climate where businesses and individuals can innovate, compete and contribute to the economic development and regeneration of the area; and excellence in local business.
4. To encourage the growth of existing businesses in the Borough and access to the skills and training necessary to support them.
5. To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.
6. To consult with the Chamber of Commerce and Federation of Small Businesses.
7. To maintain a special interest in promoting employment in the borough.
8. To promote and encourage tourism and heritage
9. Parking (off Street parking provision in Council owned car parks)
10. Community Safety and CCTV

## **3. Environment Committee**

1. The functions within the remit of the Environment Committee are set out below:
  - 1) Waste management, refuse collection and recycling
  - 2) Environmental improvement schemes
  - 3) The quality of the public realm, including street services and grounds maintenance

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- 4) Highway matters that are the responsibility of the Borough Council and drainage
- 5) Public conveniences
- 6) Cemeteries and closed churchyards
- 7) Unlawful incursions

**4. Community Committee**

1. The functions within the remit of the Community Committee are set out below
  - 1) Community and Localism Initiatives
  - 2) The Voluntary Sector and community partnerships
  - 3) Parish Council liaison
  - 4) Health and Wellbeing
  - 5) Grants to organisations/voluntary organisations.
  - 6) Parks, open spaces, countryside, allotments
2. To take the lead on community leadership and consultation with stakeholders.

**5. Housing and Health Committee**

1. The functions within the remit of the Housing Committee are set out below
  - 1) Affordable housing
  - 2) Housing strategy and investment programme
  - 3) The Housing Revenue Account Business Plan
  - 4) Housing standards, homelessness, homelessness prevention and advice
  - 5) Housing needs assessment
  - 6) Housing benefit - welfare aspects
  - 7) Private sector housing and administration of housing grants

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- 8) Tenancy Management and landlord functions
  - 9) Environmental Health
  - 10) Environmental nuisance and pollution controls
  - 11) Other miscellaneous powers enforced by Environmental Health
  - 12) Food safety and health and safety
2. To make recommendations to Finance and Resources on the setting of rents for Council homes.

**6. Asset and Enterprise Committee**

The functions within the remit of the Asset and Enterprise Committee are :

- 1) To manage any lands or property of the Council and provide strategic property advice relating to the Council's Housing Stock

The Council's Asset Management Plan

- 1) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.
- 2) The granting variation renewal review management and termination of leases licenses dedications and easements
- 3) Promoting the use of Council owned assets by the local community and other interested parties.
- 4) To manage any lands or property of the Council;
- 5) To include properties within the Council's Asset Management Portfolio including Halls etc.
- 6) To take a strategic approach to asset management, ensuring that the use of all of the Council's Property assets achieves Value for Money and supports the achievement of the Council's corporate priorities.
- 7) To review the Corporate Asset Management Plan annually.
- 8) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.

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- 9) Disposal of land (including by lease) surplus to the requirements of any Panel or Committee.
- 10) Appropriation of land surplus to the requirements of a Committee.
- 11) Promote the use of Council owned assets by the local community and other interested parties where appropriate
- 12) Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.

Enterprise

- 1) To take a strategic approach to commercial activity, both existing and new, ensuring the council realizes revenue generation opportunities and supports the achievement of the Council's corporate priorities.
- 2) Promoting a culture of entrepreneurialism and building the required skills and capacity.
- 3) To consider, and approve, business cases and commercial business plans for commercial activity.

## **7. Audit and Scrutiny Committee**

The Audit and Scrutiny Committee provides advice to the Council and the Committees on the effectiveness of the arrangements for the proper administration of the Council's financial affairs, including all relevant strategies and plans.

Audit Activity

- 1) To approve the Annual Internal Audit risk based Plan of work.
- 2) To consider the Head of Internal Audit's annual report and opinion, and a summary of Internal Audit activity and the level of assurance it can give over the Council's corporate governance, risk management and internal control arrangements.
- 3) To consider regular progress reports from Internal Audit on agreed recommendations not implemented within a reasonable timescale.
- 4) To consider the External Auditor's annual letter, relevant reports, and the report to those charged with governance.
- 5) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- 6) To consider the arrangements for the appointment of the Council's Internal and External Auditors.

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Regulatory Framework

- 1) To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.
- 2) To review any issue referred to it by a Statutory Officer of the Council or any Council body.
- 3) To monitor the effective development and operation of risk management and corporate governance in the Council.
- 4) To monitor Council policies and strategies on
  - Whistleblowing
  - Money Laundering
  - Anti-Fraud and Corruption
  - Insurance and Risk Management
  - Emergency Planning
  - Business Continuity
- 5) To monitor the corporate complaints process.
- 6) To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- 7) To consider the Council's compliance with its own and other published standards and controls.

Accounts

- 1) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- 2) To review the Council's Annual Governance Statement.
- 3) To consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.

Scrutiny

- 1) To prepare the annual overview and scrutiny work programme taking into account items put forward by members and the Corporate Leadership Board ensuring that such items relate to the Council's functions and corporate priorities.



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- 2) To propose 'place based' or local scrutiny for issues where a local investigative approach with a range of people or organisations is an appropriate way forward.
- 3) To manage scrutiny resources efficiently and effectively so that the outcomes of scrutiny are likely to lead to real improvements for the people of Brentwood.
- 4) To establish working groups (in line with agreed protocols) to undertake the work programme, including setting their terms of reference, the reporting arrangements, and to co-ordinate and review the work of the working groups.
- 5) To receive reports and other evidence from organisations, individuals and partnerships which the Committee or working groups considers relevant to their work.
- 6) To deal with those decisions that are subject to the Council's Call In Procedure for decisions made by Committees.
- 7) To deal with those issues raised through the 'Councillor Call for Action' scheme in line with agreed protocols and procedures.
- 8) To review matters of local community concern including partnerships and services provided by 'other' organisations such as the National Health Service and Essex County Council.
- 9) To make reports or recommendations to Council or the policy committees on matters which affect Brentwood or the inhabitants of Brentwood.
- 10) To be responsible for scrutiny of the Council's strategic and budgetary framework and its implementation.
- 11) To report annually to Council on the progress of the work programme and to make relevant recommendations.

**8. Licensing Committee**

- (a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
- (b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
- (c) To determine all fees and charges relevant to matters disposed by the Licensing Committee.
- (d) To be responsible for all the Council's licensing and registration functions as detailed in Part B of Schedule 1 Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (as amended) in so far as they pertain to matters concerned with:

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- (i) Trading Requirements
  - (ii) All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
  - (iii) Animal Welfare and Security
  - (iv) Skin Piercing, Acupuncture, Electrolysis and Tattooing
  - (v) Sex establishments (including Sex Entertainment Venues (SEV))
  - (vi) Pavement Permits
  - (vii) Charitable Collections
  - (viii) Camping, Caravan Sites and Mobile Homes
  - (ix) Scrap Metal
  - (x) Game Dealers
- (e) Any other matters relating to licensing as may be referred to the Committee for consideration.
- (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
- (g) To manage and monitor the budgets in respect of licensing and vehicle licensing

**9. Planning and Development Committee**

- (a) Town and Country Planning Act 1990 and any related legislation including:-
- (i) determination of planning applications;
  - (ii) enforcement of planning control;
  - (iii) waste land notices, purchase notices, etc.
- (b) Listed Buildings and Conservation Areas Act 1990
- (i) determination of applications for Listed Buildings and Conservation Area consent;
  - (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.
- (a) To guide the Council in setting its policy objectives and priorities.
- (b) To carry out the duties and powers of the Council under current legislation;
- (c) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the Committee.

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- (d) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (e) To consider and approve relevant service plans;
- (f) To comply with the standing orders and financial regulations of the Council;
- (g) To operate within the budget allocated to the committee by the Council.
- (h) To determine fees and charges relevant to the Committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

- (d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning

#### **10. Licensing Sub- Committees**

To hear and determine applications that do not sit within the scope of delegation to officers, usually where representations have been received either by a third party against grant of a license, or from the applicant against intended refusal or revocation of a license/registration.

Licensing Committee has delegated all functions other than relevant policies and fees setting to officers, with the exception of those other matters as indicated below, which are heard by licensing sub-committee unless otherwise indicated:

#### **Licensing Act 2003 and Gambling Act 2005**

- (a) Determination of any application type where a representation has been received in accordance with the legislation
- (b) Determination of applications for review or expedited review

#### **Hackney Carriage vehicles and drivers (including enforcement of ranks) and Private Hire vehicles, drivers and operators, with the exception of:**

- (a) Suspension or revocation of drivers' licenses (save for initial suspension under provision of Local Government (Miscellaneous Provisions) Act 1976 S61 (2B) if it appears that the interests of public safety require the suspension to have immediate effect)
- (b) Where representation has been submitted by the applicant/license holder against refusal of any application
- (c) Where representation has been received from an applicant to vary a licensing or pre-licensing condition.

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**Scrap Metal Dealing**

- (a) Determination of applications where representations have been received against refusal in accordance with legislative requirements; and
- (b) Consideration of revocation of a license where representations have been received in accordance with legislative requirements

**Street Collections and House to House Collections**

- (a) Appeals against refusal to grant or renew a license

**Licensing of sex establishments**

- (a) Determination of all applications, revocations and appeals.

**Street Trading**

- (a) Determination of applications where representation(s) has been received
- (b) Determination of applications that fall outside of current policy
- (c) Determination of matters relating to revocation of a license

**Acupuncture, Tattooing, Skin and Ear Piercing and Electrolysis**

- (a) Appeals against refusal to grant or renew a registration.
- (b) Revocation of a registration

**Animal Welfare and Security, except for the following:**

- (a) Appeals against refusal to grant or renew a license
- (b) Revocation of a license

**Exercise of Powers under Caravan Sites and Control of Development Act 1960, except for:**

- (a) Refusal and revocation of licenses, (other than urgent refusals which are delegated to officers)

**Mobile Homes**

- (a) Appeals against revocation of a license and/or conditions attached to the grant of a license.

**11. Staff Appointments Committee (to meet on demand) has the following functions:**

- (a) To appoint the following designated officers:

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APPROVED TERMS OF REFERENCE FOR COMMITTEES 2014-15

Head of Paid Service  
Section 151 Finance Officer  
Monitoring Officer

and such other posts as may be determined from time to time by Group Leaders in consultation with the Head of Paid Service.

- (b) To comply with the requirements set out in Chapter 4 of the Constitution (Staff Employment Procedure Rules).
- (c) To agree, review and amend to salary and grading structures for chief officer posts in line with the agreed remuneration policy.

**12. Dismissal Appeals Committee (to meet on demand) has the following functions:**

- (a) To consider and determine any appeal by the Head of Paid Service, Section 151 Officer or Monitoring Officer against dismissal.
- (b) To consider and determine any allegation or issue of misconduct, incapability or breakdown in trust against the Head of Paid Service, Section 151 Finance Officer, Monitoring Officer or a Deputy Monitoring Officer.



## ANNUAL MEETING 2014 – AGREED LIST OF NOMINATIONS

### ELECTION OF MAYOR

Elected: Cllr Vicky Davies

### APPOINTMENT OF DEPUTY MAYOR

Elected: Cllr Roger Keeble

<b><u>PLANNING AND DEVELOPMENT CONTROL COMMITTEE</u></b>	<b><u>*LICENSING COMMITTEE</u></b>
Membership 11 (Con 5 , Lib Dem 3, Brentwood First 2, Labour 1)	Membership 12 (Con 6, Lib Dem 4, Brentwood First 1, Labour 1)
<b>Conservative</b> 1. Cllr Mrs N Hones 2. Cllr Mrs M Henwood 3. Cllr J Cloke 4. Cllr C Hossack 5. Cllr R McCheyne	<b>Conservative</b> 1. Cllr M Reed 2. Cllr Mrs M Henwood 3. Cllr Dr A Naylor 4. Cllr Mrs S Murphy 5. Cllr W Russell 6. Cllr Mrs N Hones
<b>Lib Dem</b> 1. Cllr P Mynott <b>(Vice-Chair)</b> 2. Cllr R Carter 3. Cllr Mrs L Cohen	<b>Lib Dem</b> 1 Cllr Mrs L Cohen <b>(Chair)</b> 2. Cllr J Newberry 3. Cllr Mrs J Hubbard 4. Cllr P Mynott
<b>Brentwood First</b> 1. Cllr P Baker <b>(Chair)</b> 2. Cllr Mrs J Squirrell	<b>Brentwood First</b> 1. Cllr W Lloyd
<b>Labour</b> 1. Cllr J Morrissey	<b>Labour</b> 1. Cllr G Barrett <b>(Vice Chair)</b>  *In order to meet the requirements of the liquor licensing legislation which came into effect in 2006, the Licensing Committee provides a pool of Members.

<p><b><u>HOUSING COMMITTEE</u></b></p> <p>Membership 10 (Con 5, Lib Dem 3, Brentwood First 1, Labour 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr R McCheyne</li> <li>2. Cllr Mrs M Henwood</li> <li>3. Cllr D Tee</li> <li>4. Cllr K Parker</li> <li>5. Cllr Mrs H Hones</li> </ol> <p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr R Carter <b>(Chair)</b></li> <li>2. Cllr Mrs V Davies <b>(Vice-chair)</b></li> <li>3. Cllr Mrs J Hubbard</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr P Baker</li> </ol> <p><b>Labour</b></p> <ol style="list-style-type: none"> <li>1. Cllr M Le-Surf</li> </ol>	<p><b><u>ENVIRONMENT COMMITTEE</u></b></p> <p>Membership 10 (Con 5, Lib Dem 3, Brentwood First 1, Independent 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr P Faragher</li> <li>2. Cllr W Russell</li> <li>3. Cllr Ms O Sanders</li> <li>4. Cllr J Cloke</li> <li>5. Cllr Mrs S Murphy</li> </ol> <p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr J Sapwell <b>(Vice- chair)</b></li> <li>2. Cllr J Newberry</li> <li>3. Cllr P Mynott</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr W Lloyd <b>(Chair)</b></li> </ol> <p><b>Independent</b></p> <ol style="list-style-type: none"> <li>1. Cllr R Keeble</li> </ol>
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<p><b><u>COMMUNITY COMMITTEE</u></b></p> <p>Membership 10 (Con 5, Lib Dem 3, Brentwood First 1, Labour 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr K Parker</li> <li>2. Cllr D Tee</li> <li>3. Cllr Ms O Sanders</li> <li>4. Mrs A Coe</li> <li>5. Cllr R McCheyne</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr Mrs J Squirrell <b>(Vice-chair)</b></li> </ol>	<p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr K Chilvers <b>(Chair)</b></li> <li>2. Cllr Mrs J Hubbard</li> <li>3. Cllr R Carter</li> </ol> <p><b>Labour</b></p> <ol style="list-style-type: none"> <li>1. Cllr G Barrett</li> </ol>
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<p><b><u>ASSET AND ENTERPRISE COMMITTEE</u></b></p> <p>Membership 10 (Con 5, Lib Dem 3, Brentwood First 1, Labour 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr R Hirst</li> <li>2. Cllr J Cloke</li> <li>3. Cllr J Kerslake</li> <li>4. Cllr T Sleep</li> <li>5. Cllr A Coe</li> </ol> <p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr J Sapwell <b>(Vice- chair)</b></li> <li>2. Cllr B Aspinell</li> <li>3. Cllr G Clark</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr R Quirk <b>(Chair)</b></li> </ol> <p><b>Labour</b></p> <ol style="list-style-type: none"> <li>1. Cllr J Morrissey</li> </ol>	<p><b><u>BUSINESS AND TOWN CENTRES COMMITTEE</u></b></p> <p>Membership 10 (Con 5, Lib Dem 3, Brentwood First 1, Independent 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr C Hossack</li> <li>2. Cllr W Russell</li> <li>3. Cllr Ms O Sanders</li> <li>4. Cllr S Murphy</li> <li>5. Cllr M Reed</li> </ol> <p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr D Kendall <b>(Chair)</b></li> <li>2. Cllr J Newberry</li> <li>3. Cllr J Sapwell</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr R Quirk</li> </ol> <p><b>Independent</b></p> <ol style="list-style-type: none"> <li>1. Cllr R Keeble <b>(Vice-Chair)</b></li> </ol>
<p><b><u>AUDIT AND SCRUTINY COMMITTEE</u></b></p> <p>Membership 8 (Con 4, Lib Dem 2, Brentwood First 1, Labour 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr J Kerslake</li> <li>2. Cllr T Sleep</li> <li>3. Cllr Mrs N Hones</li> <li>4. Cllr Dr A Naylor</li> </ol> <p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr G Clark <b>(Chair)</b></li> <li>2. Cllr K Chilvers</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr Mrs J Squirrel</li> </ol> <p><b>Labour</b></p> <ol style="list-style-type: none"> <li>1. Cllr G Barrett <b>(Vice-chair)</b></li> </ol>	<p><b><u>FINANCE AND RESOURCES COMMITTEE</u></b></p> <p>Membership 9 (Con 4, Lib Dem 3, Brentwood First 1, Labour 1)</p> <p><b>Conservative</b></p> <ol style="list-style-type: none"> <li>1. Cllr L McKinlay</li> <li>2. Cllr R Hirst</li> <li>3. Cllr P Faragher</li> <li>4. Cllr K Parker</li> </ol> <p><b>Lib Dem</b></p> <ol style="list-style-type: none"> <li>1. Cllr B Aspinell <b>(Chair)</b></li> <li>2. Cllr G Clark</li> <li>3. Cllr D Kendall</li> </ol> <p><b>Brentwood First</b></p> <ol style="list-style-type: none"> <li>1. Cllr W Lloyd <b>(Vice-chair)</b></li> </ol> <p><b>Labour</b></p> <ol style="list-style-type: none"> <li>1. Cllr M Le-Surf</li> </ol>



# CALENDAR OF MEETINGS

**1 JUNE 2014 - 1 AUGUST 2015**

## **Guide**

The agenda publication date for all **committees** is **5** working days before the date of the meeting. If the meeting is on a Wednesday, the agenda will be published on the Tuesday of the week before the meeting at 5pm. The agenda publication date for **Council** meetings is 10 working days before the date of the meeting.



<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> Annual Council	<b>12</b>	<b>13</b>
<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
<b>23</b>	<b>24 Planning Committee</b>	<b>25</b>	<b>26</b>	<b>27</b>
<b>30</b> Finance and Resources Committee				

<b>JULY, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
	<b>1</b> <b>Audit &amp; Scrutiny Committee</b>	<b>2</b> <b>Ordinary Council</b>	<b>3</b>	<b>4</b>
<b>7</b> <b>Environment Committee</b>	<b>8</b> LGA Annual Conference <b>Licensing Committee</b>	<b>9</b> LGA Annual Conference <b>Housing Committee</b>	<b>10</b> LGA Annual Conference	<b>11</b>
<b>14</b>	<b>15</b> <b>Asset and Enterprise Committee</b>	<b>16</b> <b>Business and Town Centre Committee</b>	<b>17</b>	<b>18</b>
<b>21</b> <b>Community Committee</b>	<b>22</b> <b>Planning Committee</b>	<b>23</b> School Holiday Start	<b>24</b>	<b>25</b>
<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	

<b>AUGUST, 2014</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
				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 <b>Planning Committee</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>8</b>	<b>9</b> <b>Licensing Committee</b>	<b>10</b> <b>Housing Committee</b>	<b>11</b>	<b>12</b>
<b>15</b>	<b>16</b> <b>Environment Committee</b>	<b>17</b> <b>Asset and Enterprise Committee</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 <b>Audit &amp; Scrutiny Committee</b>			



<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	<b>2</b>	<b>3</b>
<b>6</b> Liberal Democrat Party Conference	<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> <b>Planning Committee</b>	<b>15</b> <b>Business and Town Centre Committee</b>	<b>16</b>	<b>17</b>
<b>20</b>	<b>21</b> <b>Community Committee</b>	<b>22</b> <b>Ordinary Council</b>	<b>23</b>	<b>24</b>
<b>27</b> School Holiday Start	<b>28</b>	<b>29</b> <b>Finance and Resources Committee</b>	<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> <b>Planning Committee</b>	<b>5</b> <b>Housing Committee</b>	<b>6</b>	<b>7</b>
<b>10</b>	<b>11</b> <b>Licensing Committee</b>	<b>12</b> <b>Environment Committee</b>	<b>13</b>	<b>14</b>
<b>17</b>	<b>18</b> <b>Asset and Enterprise Committee</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>24</b>	<b>25</b>	<b>26</b> <b>Audit &amp; Scrutiny Committee</b>	<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> Planning Committee	<b>3</b>	<b>4</b>	<b>5</b>
<b>8</b>	<b>9</b>	<b>10</b> Ordinary Council	<b>11</b>	<b>12</b>
<b>15</b>	<b>16</b> Business and Town Centre Committee	<b>17</b> Community Committee	<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> Planning Committee	<b>7</b> Housing Committee	<b>8</b>	<b>9</b>
<b>12</b>	<b>13</b> Licensing Committee	<b>14</b> Finance and Resources Committee	<b>15</b>	<b>16</b>
<b>19</b>	<b>20</b> Environment Committee	<b>21</b> Asset & Enterprise Committee	<b>22</b>	<b>23</b>
<b>26</b>	<b>27</b> Audit & Scrutiny Committee	<b>28</b>	<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> <b>Planning</b>	<b>4</b> <b>Ordinary Council</b>	<b>5</b>	<b>6</b>
<b>9</b>	<b>10</b>	<b>11</b> <b>Finance and Resources</b>	<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>Business and Town Centre Committee</b>	<b>24</b> <b>Community Committee</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>	<b>3</b> <b>Planning Committee</b>	<b>4 6pm Assizes</b> <b>Ordinary Council</b>	<b>5</b>	<b>6</b>
<b>9</b>	<b>10</b>	<b>11</b> <b>Housing Committee</b>	<b>12</b>	<b>13</b>
<b>16</b>	<b>17</b>	<b>18</b> <b>Environment Committee</b>	<b>19</b>	<b>20</b>
<b>23</b>	<b>24</b> <b>Business and Town Centre</b> <b>Committee</b>	<b>25</b> <b>Community Committee</b>	<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>
		1	2	3 Bank Holiday
6 Bank Holiday	7	8	9	10 School Holiday End
13	14 Planning Committee	15	16	17
20	21	22	23	24
27	28	29	30	

<b>MAY, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
				1
4 Bank Holiday	5	6	7	8
11	12	13	14	15
18	19	20 Annual Council	21	22
25 Bank Holiday School Holiday Start	26 Planning Committee	27	28	29 School Holiday End



<b>JUNE, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
1	2	3 Licensing Committee	4	5
8	9	10 Housing Committee	11	12
15	16	17 Environment Committee	18	19
22	23 Planning Committee	24 Finance and Resources Committee	25	26
29	30			

<b>JULY, 2015</b>				
<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
		<b>1</b> Asset and Enterprise Committee	<b>2</b>	<b>3</b>
<b>6</b>	<b>7</b>	<b>8</b> Business and Town Centre Committee	<b>9</b>	<b>10</b>
<b>13</b>	<b>14</b>	<b>15</b> Ordinary Council	<b>16</b>	<b>17</b>
<b>20</b>	<b>21</b> Planning Committee	<b>22</b> Community Committee	<b>23</b> School Holiday Start	<b>24</b>
<b>27</b>	<b>28</b> Audit & Scrutiny Committee	<b>29</b>	<b>30</b>	<b>31</b>

<b><u>Agreed Members Allowances 2014-15</u></b>	<b>Number</b>	<b>Allowance 2014-15</b>	<b>Notes</b>
Basic Allowance	<b>37</b>	6,010.31	
Leader	<b>1</b>	13,217.11	
Deputy Leader	<b>1</b>	6,380.68	
Leader of Main Opposition	<b>1</b>	5,318.75	
Leader of Minority Opposition	<b>0</b>		
Chair of Community Committee	<b>1</b>	3,545.83	
Chair of Housing Committee	<b>1</b>	3,545.83	
Chair of Asset and Enterprise Committee	<b>1</b>	3,545.83	
Chair of Environment Committee	<b>1</b>	3,545.83	(Deputy Leader of the Council)
Chair of Business and Town Centres Committee	<b>1</b>	3,545.83	
Chair of Audit and Scrutiny Committee	<b>1</b>	3,545.83	
Chair of Finance and Resources Committee	<b>1</b>	3,545.83	(Leader of the Council)
Chair of Planning and Development Control Committee	<b>1</b>	3,545.83	
Chair of Licensing Committee	<b>1</b>	3,545.83	
Vice-Chair of Community Committee	<b>1</b>	967.15	
Vice-Chair of Housing Committee	<b>1</b>	967.15	
Vice-Chair of Asset and Enterprise Committee	<b>1</b>	967.15	
Vice-Chair of Environment Committee	<b>1</b>	967.15	
Vice-Chair of Business and Town Centres Committee	<b>1</b>	967.15	
Vice-Chair of Audit and Scrutiny Committee	<b>1</b>	967.15	
Vice-Chair of Finance and Resources Committee	<b>1</b>	967.15	(Deputy Leader of the Council)
Vice-Chair of Planning and Development Control Committee	<b>1</b>	967.15	(Lead Member for Working Groups)
Vice-Chair of Licensing Committee	<b>1</b>	967.15	
Lead Member for Working Groups	<b>1</b>	2,256.49	