



Ordinary Council

Agenda

Part One

Council Chamber

Wednesday, 2 July 2014 at 7.00 pm

Membership (Quorum – 10)

Councillors

Cllrs Aspinell, Baker, Barrett, Carter, Chilvers, Clark, Cloke, Mrs Coe, Mrs Cohen, Mrs Davies (Mayor), Faragher, Henwood, Hirst, Mrs Hones, Hossack, Mrs Hubbard, Keeble (Deputy Mayor), Kendall, Kerlake, Le-Surf, Lloyd, McCheyne, Mrs McKinlay, Morrissey, Mrs Murphy, Mynott, Naylor, Newberry, Parker, Quirk, Reed, Russell, Ms Sanders, Sapwell, Sleep, Mrs Squirrell and Tee

Committee Co-ordinator: Jean Sharp, Ext 2655

Additional Information:

Notice of an Amendment

Notice of an amendment to a recommendation or motion on the agenda for a Council meeting may be given by two members to the Monitoring Officer by 10.00 am four working days before the day of the meeting but amendments arising from the debate at the Council meeting on a motion or recommendation will always be considered.

Questions to a Committee Chair

A brief written report by each Committee Chair covering their area of responsibility will be circulated with the agenda for each Council meeting.

Any member may ask a Chair written or oral questions on:

- (a) any matter included in a Chair's written report; or
- (b) any matter in relation to which the Council has powers or duties or which affects the Council's area and which falls within the area of responsibility of the Chair's Committee.

The period allowed for written and oral questions and answers will not exceed **60 minutes** without the leave of the Mayor and such leave will only be granted in exceptional circumstances.

Written questions to a Committee Chair

A member may ask a written question if notice in writing of the question has been received by the Monitoring Officer no later than 10.00 am **four working days** before the day of the Council meeting. Questions will be dealt with in the order in which notice was received.

An answer may take the form of:

- (a) a direct oral answer; or
- (b) a reference to a publication, where the information is in a publication of the Council or other published work; or
- (c) where the reply cannot conveniently be given orally (for example if is in the form of diagrams), a written answer will be circulated to all members at the meeting.

Each questioner is entitled to ask one supplementary question arising directly out of either the reply to the original question or where the questioner considers that the reply requires clarification.

Oral questions

After questions and answers under Rule 7.4 have been dealt with, any member may ask one question of a Chair under Rule 7.2.

No supplementary question shall be put except if the questioner considers that the reply requires clarification and the Mayor gives leave to the questioner to ask a supplementary question.

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 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)

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10 Urgent Business

An item of business may only be considered where the Mayor is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.

A handwritten signature in black ink, appearing to be 'MJE'.

Managing Director

Town Hall
Brentwood, Essex
17 June 2014

Minutes

Ordinary Council 11.12.2013

Membership/Attendance

- | | |
|--------------------|---------------------|
| * Cllr Aspinell | * Cllr Kerlake |
| * Cllr Baker | * Cllr Le-Surf |
| Cllr Mrs Beeston | * Cllr Lloyd |
| * Cllr Braid | * Cllr McCheyne |
| * Cllr Carter | * Cllr Mrs McKinlay |
| * Cllr Chilvers | * Cllr Morrissey |
| * Cllr G Clark | * Cllr Mrs Murphy |
| * Cllr N Clarke | * Cllr Mynott |
| * Cllr Mrs Coe | * Cllr Dr Naylor |
| Cllr Mrs Cohen | * Cllr Parker |
| * Cllr Mrs Cornell | * Cllr Mrs Pound |
| * Cllr Mrs Davies | * Cllr Quirk |
| * Cllr Ms Golding | * Cllr Reed |
| * Cllr Mrs Henwood | * Cllr Russell |
| * Cllr Hirst | * Cllr Sapwell |
| * Cllr Mrs Hones | * Cllr Sleep |
| * Cllr Hossack | * Cllr Sparling |
| * Cllr Keeble | * Cllr Tee |
| * Cllr Kendall | |

*present

Officers Present

Alison Crowe - Managing Director
Laura Edwards – ECC Legal Services
Chris Gill – Interim Strategic Asset Manager
Jo-Anne Ireland – Director of Strategy and Corporate Services
David Lawson – Monitoring Officer
Philip Ruck – Programme and Project Manager
Jean Sharp – Governance and Member Support Officer
Lee Taylor – Policy and Programme Manager

291. Apologies for Absence

Apologies for absence were received from Cllrs Mrs Beeston and Mrs Cohen.

292. Mayor's Announcements

All present stood for a minute's silence in tribute to former Councillor Geoff Jennings and Nelson Mandela.

The Mayor recounted some of the engagements she had undertaken since October.

293. Minutes of Ordinary Council 23.10.2013

Resolved to approve as a true record the minutes of the Ordinary Council meeting held on 23.10.13

294. Variation in the Order of the Agenda

In view of the public presence, the Mayor MOVED and Cllr Mrs McKinlay SECONDED and it was RESOLVED UNANIMOUSLY that Item 15 – William Hunter Way – be considered as item 4 on the agenda.

295. William Hunter Way

A final supplemental report had been circulated shortly before the meeting which the Mayor agreed to accept as urgent business.

The report provided the current status of the scheme to develop the William Hunter Way site and highlighted events that had occurred since the Ordinary Council meeting 23rd October 2013.

Members received a presentation to update them on the current situation. They were also reminded that the Development Agreement (DA) was still in force. Whilst the revised longstop date for the DA of 7th December 2013 had passed, the agreement remained in force until either party terminated it and discussions were still continuing with the developer.

As at the date of the report, the items that were considered resolved were:

- a) Stockland Halladale (UK) Limited (Stockland), had confirmed that the financial appraisal provided by them in late October 2013, was their final financial appraisal. Since the October 2013 report to Ordinary Council, Stockland had improved the financial return to the Council. This had been achieved by increasing the minimum guaranteed rental on a per annum basis, from £209,000 to £225,000. This was the result of an increase in the Council share of net rents from 10% to 10.77%.
 - b) Of the Nine Conditions Precedent (CPs) the following were resolved
 - I. The Title condition (with the exception of the Barclays Condition and indemnity Insurance - (detailed at 5.7.1 in the report)
 - II. The planning condition (note the S106 was due to be signed the following week)
 - III. The Lettings condition – subject to the Council agreeing to the variation to the Development Agreement relating to the car park.
 - IV. The Highways condition
 - V. The Site Investigation condition
 - c) The Council had received confirmation from the guarantor of the developer that they had approved the transaction and were committed to the deal between Stockland and the Council.
 - d) The Council had received confirmation that the guarantor of the developer had allocated funds, or had an arrangement in place, to meet the requirements to build the scheme to complete by September 2015.
 - e) A detailed project plan to allow BBC to understand the underlying milestones of the construction plan.
- 1.1 As detailed in section 6 of the report, the following four Conditions Precedent (CPs) were considered unresolved):
- I. The waiver from Stockland for the appropriation condition which this would be granted subject to the Barclays condition being resolved (section 6.9). Subject to the Barclays condition being resolved this was not seen as a major issue.
 - II. The waiver from Stockland in relation to the Developers Land condition. This was not seen as a major issue.
 - III. The Barclays condition
 - IV. The Sainsbury's condition

- 1.2 The report also provided a comparison with the original proposal for the scheme agreed by Members in May 2007.
- 1.3 It was clear that any recommendation must reference the risk associated with approving the scheme. A summary of the risks was shown in section 11 but the major risks mainly related to:
 - a) The deliverability of the scheme by the developer.
 - b) The resolution of all Conditions Precedent.
 - c) The lack of clearly defined damages/ penalties within the original development agreement should construction work either not start on time or finish on time.
- 1.4 In order to mitigate these risks and protect the public purse the Council had requested from the Developer that Stockland agree to amendments to the Development Agreement to mitigate risk.
 - a. To reflect the introduction of penalties should building work not commence by September 2014.
 - b. To reflect the introduction of penalties should building work not complete by the end of December 2015.
 - c. The option to terminate the agreement should building work not commence by September 2014.
 - d. A new Heads of Terms be agreed relating to the introduction of the penalties for late starting/finishing and clearer definitions of “start on site”. All terms to be concluded by end of January 2014.
- 1.5 Discussions with the Developer relating to the application of penalties were on-going and despite best efforts on both sides had not concluded.

Cllr Mrs McKinlay MOVED and Cllr Parker SECONDED the recommendations in the supplementary report and officers were thanked for their work in progressing matters in relation to the development and for preparing the report.

After a full discussion, a Member requisitioned pursuant to Part 4.1 of the Constitution, Rule 9.5, that voting on the Motion be recorded. Members voted as follows:

FOR: Cllrs Braid, Mrs Coe, Mrs Cornell, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (20)

AGAINST: Cllrs Aspinell, Baker, Carter, Chilvers, Clark, Clarke, Mrs Davies, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mynott, Quirk and Sapwell (15)
ABSTAIN: (0)

The Motion was CARRIED and it was RESOLVED:

1. That authority is delegated to the Council's Managing Director, in consultation with the Leader of the Council and the Cross Party Working Group to negotiate to conclude the transaction with Stockland and finalise the Development Agreement and Conditions Precedent. This Delegated Authority will cover inter alia:
 - a) Agreement of the penalty clauses and the associated quantum (outlined in 1.7 above)
 - b) Agreement to proposed variations to the Development Agreement (in line with those either being negotiated in (a) above and those already tabled by Stockland).
 - c) Should the proposed share transfer of Stockland proceed, to enter into necessary documentation including a formal deed of release and a new guarantee with the replacement guarantor.
 - d) That these negotiations be concluded by the end of January 2014.
2. As a consequence of a positive outcome of the negotiations outlined in 1. above for the Council, the Development Agreement will not be terminated.
3. Should the negotiations with the Developer referred to in 1. above not be agreed, officers will not proceed with making the DA unconditional and delegated authority is to be given to the Council's Managing Director in consultation with the Leader of the Council and the Cross party Working Group to serve notice in accordance with the terms of the Development Agreement to terminate the Development Agreement.

(Cllr Mynott declared a pecuniary interest under the Council's Code of Conduct by virtue of living adjacent to the proposed development site. However, the Monitoring Officer had granted a dispensation for Cllr Mynott to participate in the discussion regarding William Hunter Way on the grounds that it was in the interests of persons living in the authority's area that he be able to put their views and concerns).

296. Adjournment of meeting

In accordance with Part 4.1, Rule 8.4.3 (General disturbance) of the Council's Constitution, the meeting was adjourned for ten minutes.

297. Public Questions

None had been received.

298. Memorials and Petitions

Cllr Kendall presented a petition requesting that the Council reinstates the maintenance of the communal lawn areas on the Brackenwood Development.

The petition would be referred to the appropriate committee for consideration.

299. Chairs Reports

Chairs' reports were noted.

300. Members' Questions to Committee Chairs

In accordance with Rule 7.4 of Council Procedure Rules, 7 written questions had been received from Members and details of these would be appended to the minutes.

Following the putting of these written questions to Chairs and receiving responses, oral questions were asked of Chairs and responses given.

301. Local Council Tax Support Scheme 2014/15

The 2013/14 Local Council Tax Support (LCTS) scheme was adopted by Ordinary Council on 19th December 2012 and replaced Council Tax Benefit (CTB) from 1st April 2013. The scheme only affected working age claimants as pensioners were protected and continued to be paid in accordance with the CTB regulations.

A report outlining the findings of the first year of operation of the Scheme was reported to the Overview and Scrutiny Committee on 18th September 2013 and proposed amendments to the scheme were considered by a Task and Finish Group.

Consultation with residents regarding the proposals was conducted over a 6 week period from 20th September 2013 to 1st November 2013 but as all of the proposals were favourable to residents, not unexpectedly a low key response was received. Only three residents responded to the consultation but all were in favour of introducing the changes.

The final proposals were then agreed by Overview and Scrutiny Committee at its meeting on the 26th November 2013 before submitting the final scheme to Full Council for adoption.

Cllr Mrs Henwood MOVED and Cllr Hirst SECONDED the recommendations in the report and following a full discussion and a vote on a show of hands it was RESOLVED that:

1. Members note the consultation response and Equality Impact Assessment as set out in the document at Appendix A.
2. The Council adopts the 2013 Local Council Tax Support (LCTS) scheme and includes the following policy amendments:
 - a) Protections for residents acting as a carer.
 - b) An up-rate of up to 1% to the applicable amount for working age claimants in line with DWP rates for Housing Benefit.
 - c) A delay in the assessment of notional income for self employed claimants until their third year of operation and using either the higher of the current rate of minimum wage or the appropriate market rate for the employment market that the claimant or their partner is operating in.
3. The Council endorses the following proposed change to current Council Tax Discounts and Exemptions for 2014/15:
 - a) To reduce the discount on properties that has major repairs or structural alterations to 25% for 12 months.
4. That the Council adopts the proposals to impose penalties on residents who fail to notify the Council of a relevant change in circumstances that affects the amount of Council Tax liability as follows:
 - a) Housing Benefit - £50
 - b) Local Council Tax Support - £70
 - c) Council Tax - £70
5. In order to implement working age up-rating in line with DWP rates for Housing Benefit, delegated powers are awarded to the Section 151 Officer, in consultation with the Leader and Deputy Leader of the Council to make minor technical changes to the Local Council Tax Support Scheme.

302. Revised Calendar of Meetings

Members were asked to consider and review a revised Calendar of Meetings from May 2014 – July 2014 and alterations to the 2013/14 Calendar of Meetings.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in the report and following a discussion it was RESOLVED:

1. To approve the revised Calendar of Meetings May 2014 to July 2014.
2. To approve an additional Licensing Committee on 26.03.2014.
3. To approve the change of Audit Committee from 21.01.2014 to 11.03.2014.

303. Notice of Motion – Part Night Lighting

Cllr Kendall had submitted the following Motion:

"The Members of Brentwood Borough Council call on Cllr Rodney Bass the Cabinet Member for Highways at Essex County Council to delay the proposed introduction of "Part Night Lighting" in Brentwood from February 10th 2014 to a later date.

This action will give councillors, residents and local interest groups sufficient time to properly study the maps showing where the lights are going to remain on in the Borough and make representations to the County Council on other areas that should be included. The County Council have said that the maps showing where the lights are going to remain on won't be available for public viewing until 24th January 2014 which gives very little time for interested parties to engage in the process".

Cllr Aspinell SECONDED the motion.

Following the debate , Cllr Hirst MOVED and Cllr Mrs McKinlay SECONDED that, in accordance with Part 4.1, Rule 8.3.12(i) of the Council's Constitution, the question be now put. A vote was taken on a show of hands and it was RESOLVED that "The question now be put" and the mover and seconder of the substantive motion were invited to speak before the vote was taken.

A Member requisitioned pursuant to Part 4.1 of the Constitution, Rule 9.5, that voting on the Motion be recorded.

Cllrs Mrs Cornell and Hossack left the meeting before this vote was taken.

Members voted as follows:

FOR: Cllrs Aspinell, Baker, Carter, Chilvers, Clark, Clarke, Mrs Davies, Keeble, Kendall, Lloyd, Mynott, Quirk and Sapwell (13)

AGAINST: Cllrs Mrs Coe, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep and Sparling (16)

ABSTAIN: Cllrs Braid, Le-Surf, Morrissey and Tee (4)

The Motion was LOST.

304. Notice of Motion - Pensioners' Bus Passes

Cllr Kendall withdrew his motion having been advised that pensioners' bus passes would continue to be useable from 9.00am.

305. Notice of Motion - Multi Purpose Vehicle

Cllr Aspinell had submitted the following motion:

"That this Council resolves to investigate supporting the purchase of a multi-purpose vehicle for snow clearance and grit spreading through a financial contribution equivalent to the purchase cost of such a vehicle to be presented to the Essex Fire Authority. This vehicle would be permanently based at Brentwood Fire Station for exclusive use within the Brentwood Borough boundary and used to make safer the areas identified by Brentwood Borough Council not covered by ECCs winter programme.

This contribution would constitute a one-off capital expenditure and the Fire Authority would take on the revenue, maintenance and insurance responsibilities and undertake the crewing of the vehicle".

Cllr Clark SECONDED the motion.

A vote was taken on a show of hands and the Motion was CARRIED.

306. Notice of Motion – Webcasting

Cllr Aspinell submitted the following Motion:

"That this Council resolves to implement continual coverage of the Webcast facility for Part 2 Agenda Items.

It is the Council's responsibility to make sure that Part 2 items would not be transmitted for public consumption but stored for record keeping and reference archive material. Also, that all Part 1 and Part 2 Webcast recordings are stored for historical and reference purposes in perpetuity".

Cllr Chilvers SECONDED the Motion.

Cllr Mrs McKinlay proposed an AMENDMENT which was accepted.

A vote was taken on a show of hands and it was RESOLVED UNIMOUSLY:

"That this Council resolves to implement continual recording for Part 2 Agenda Items.

It is the Council's responsibility to make sure that Part 2 items would not be transmitted for public consumption but stored for record keeping and reference archive material.

Also, that the feasibility of storing Part 1 and Part 2 Webcast recordings for historical and reference purposes be explored".

307. Notice of Motion – William Hunter Way Disabled Car Park

Cllr Mynott had submitted the following Motion:

"At Policy in 2007 it was unanimously resolved to delegate authority to officers, following consultation with the Chair of the Policy Board, "to take all necessary action to acquire the Barclays Bank Car Park site in William Hunter Way, including the provision of alternative car parking if necessary for Barclays" [Policy Board, 14th March 2007; minute 524; Pp.348/349].

Thought has therefore been given to the repercussions of this for Barclays. There is no evidence, however, that thought has been given to the possible consequences for Brentwood's disabled residents, nor that it was even apparent to members in 2007 that the William Hunter Way disabled car park might be lost because of their resolution.

As such it is illegitimate to attempt to hang the entire six-year process, subsequent to 2007, on the phrase 'all necessary action'. Without any judgement of Barclays, considering its interests over those of Brentwood's disabled community is not acceptable, and Full Council must vote on whether it is prepared to sell off the disabled car park, and sell out the disabled".

The Monitoring Officer advised Members that the Motion was contrary to the resolution made earlier in the meeting relating to William Hunter Way and therefore the Mayor was unable to accept it.

Written questions and responses at Ordinary Council 11.12.2013

1) County Council Consultations - To The Leader of the Council

Why have the members of Brentwood Borough Council not been given the opportunity to discuss and give their views at a Committee / Panel meeting on a number of public consultations being undertaken by Essex Council which include "Home to School Transport" and "Childrens Centres"?

These two specific consultations and others will have a major impact on the lives of some of our residents but this Council has now missed the opportunity to contribute to both as the closing date for submissions has now passed. Is it now the policy of your administration to not give members collectively an opportunity to take part and give a view on County Council consultations?

Both the above recent consultation exercises were issued from Essex County Council and well publicized. Members, Residents and local businesses were encouraged to respond, providing feedback using an on line facility.

2) Transport - To the Leader of the Council

Does this administration fully appreciate the fact that there are many vulnerable residents in Brentwood who unable to access public transport due to age, illness and geographical isolation? If it does, what specific action is the administration going to take to ensure that Brentwood Community Transport, the transport provider for these residents, is going to be given the ongoing financial support it needs from this Council to continue providing such an important service?

The current Service Level Agreement with Brentwood Community Transport and Essex County Council is due to expire in March 2014. Essex County Council cannot confirm what funding they are allocating to any of the Community Transport schemes until January 2014. In order to provide an interim arrangement consideration is being given in the short term to develop a one year SLA with Brentwood Community Transport so that some level of support will be maintained over the next 12 months. Brentwood Community Transport will also be involved in the face to face meetings that will taking place with those organizations that the Council directly grant fund to look at future funding arrangements beyond that.

3) Localism - To the Leader of the Council

The administration says it wants to optimise opportunities for partnership working with the voluntary sector to provide new/different services. Please could the leader give me some specific examples of where this might work?

As part of the Funding Strategy implementation the Council is looking to develop with the Council for Voluntary Services a Volunteer Centre which will provide one to one support for those wishing to

volunteer. This may involve a number of voluntary organizations supporting the volunteer centre as it is developed. There will also be a number of face to face meeting with those organizations that we currently directly grant aid to look at future funding and to develop the commissioning prospectus that will support the Council's priorities, sub priorities and support the needs of our residents. Organisations will be encouraged to bid for funding to deliver services outlined within the prospectus which is likely to involve new organizations in partnership with the Council and with coalition with other voluntary organisations. To ensure our voluntary sector is sustainable all new ways of working with them are being explored. An example of this includes working in partnership with Brentwood Rugby Club who through leasing our land has enabled them to access £50k to enhance and maintain this sports facility. Similarly working in partnership with the Skatepark Association and the sensory garden has led to them accessing external funding of £80k and £30k respectively. Brentwood Council has a long history of supporting the voluntary sector as it recognizes the valuable contributions they make to our community. Other groups the Council supports include Countryside volunteers, Hutton Community Partnership, Brentwood Community Print, Shenfield and Pilgrims Hatch Environmental Partnership, Citizens Advice Bureau and Neighborhood Watch.

(Question 4 from the original list submitted regarding Part Night Lighting was withdrawn by Cllr Kendall as he has submitted a motion regarding the issue).

4) Brentwood Youth Strategy Group - To the Leader of the Council

As your administration is unwilling to discuss at Committee the savage cuts to Youth Services being proposed by Essex County Council is there any point in you continuing to appoint a member of your group as the Chairman of the Brentwood Youth Strategy Group?

The members of the Youth Strategy Group discussed at length the consultation that had been circulated by Essex County Council regarding the proposed cuts to the budget and agreed that they would send a response on behalf of the Youth Strategy Group to the consultation with any issues or concerns that they had raised in the meeting. The structure of the YSG is the same across Essex with both County Councillors and local councillors represented. The appointment of the chair (Cllr Will Russell) was agreed at the inaugural meeting of the group 9th May 2012 for a period of 2 years.

5) Youth Service Cuts - To the Chairman of Community Services Panel

Do you support the savage cuts proposed to Youth Services by Essex County Council which will mean we have no professional youth workers operating on the ground in Brentwood, see an end to the mobile youth bus travelling around our Borough and local spending on young people cut to the bone?

The consultation on the proposed reduction of budget allocated from £5M to £2M to youth services has just closed and Members of the YSG agreed for officers to submit a response to the consultation which highlighted any concerns that they have regarding the future provision for young people. In summary the response is that:

- With a reduction in budget, Essex County Council will need to ensure that services are targeted so that those young people that most need support, still continue to receive it. No decisions have been made as to the level of service in each area that will be provided by ECC Youth Services as the consultation has just concluded. Essex County Council will need to assess the implications raised in the feedback from the consultation before any final decisions are made.
- There will be an impact to services with the proposed reduction of funding so Essex County Council will need to ensure that if any other organizations are delivering any of these youth services that they have the capacity, training, facilities to be able to deliver it effectively. Essex County Council will also need to ensure that they continue to have an overview of the services that are delivered to ensure that there are no gaps in provision.

6) Licence for Marriage Ceremonies - To the Leader of the Council

Is Brentwood Borough Council going to apply to Essex County Council for a licence to hold marriage ceremonies in the Council Chamber at the Town Hall?

Officers are currently in discussion with Essex CC in relation to both moving registrars from their current location into the Town Hall and also using the Council Chamber to hold marriage ceremonies, as happened for a short period in 2011. This will be built into the Design Brief for the Town Hall project and considered by the Town Hall Delivery Group.

At the moment discussions are at an early stage but both parties are keen, subject to agreeing terms, that this should happen.

Minutes

Ordinary Council (Budget) 5 March 2014

Membership/Attendance

- | | |
|--------------------|---------------------|
| * Cllr Aspinell | * Cllr Kerslake |
| * Cllr Baker | * Cllr Le-Surf |
| * Cllr Mrs Beeston | * Cllr Lloyd |
| * Cllr Braid | * Cllr McCheyne |
| * Cllr Carter | * Cllr Mrs McKinlay |
| Cllr Chilvers | * Cllr Morrissey |
| * Cllr G Clark | * Cllr Mrs Murphy |
| * Cllr N Clarke | * Cllr Mynott |
| * Cllr Mrs Coe | * Cllr Dr Naylor |
| * Cllr Mrs Cohen | * Cllr Parker |
| Cllr Mrs Cornell | * Cllr Mrs Pound |
| * Cllr Mrs Davies | * Cllr Quirk |
| * Cllr Ms Golding | * Cllr Reed |
| * Cllr Mrs Henwood | * Cllr Russell |
| * Cllr Hirst | * Cllr Sapwell |
| * Cllr Mrs Hones | * Cllr Sleep |
| * Cllr Hossack | * Cllr Sparling |
| * Cllr Keeble | * Cllr Tee |
| * Cllr Kendall | |

*present

Officers Present

Alison Crowe - Managing Director
Ashley Culverwell – Head of Borough Safety, Health and Localism
Jo-Anne Ireland – Director of Strategy and Corporate Services
Paul Knight – Head of Business Transformation
Malcolm Knights – Head of Housing
David Lawson – Monitoring Officer
Roy Ormsby – Head of Streetscene
Tony Pierce – Interim Head of Planning
Jean Sharp – Governance and Member Support Officer

385. Apologies for Absence

Apologies for absence were received from Cllrs Mrs Beeston and Mrs Cornell.

The Mayor advised that the debate at the meeting was to be conducted in accordance with Standing Order 8.3.5. and that the recommendations for the budget framework reports would be moved together.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in agenda items 2. (The Medium Term Financial Plan (General Fund) 2014/15 – 2016/17), 4. (Capital Programme 2014/15), 5. Treasury Management Strategy Statement 2014/15 and 7. (Council Tax) which were voted on en bloc.

Cllr Mrs McKinlay introduced the budget and the leaders of the opposition groups addressed Members regarding the recommendations.

One amendment had been received in relation to the Capital Programme 2014/15 report.

For clarity, the reports are considered separately below.

386. The Medium Term Financial Plan (General Fund) 2014/15 – 2016/17

The Medium Term Financial Plan (MTFP) set out the key financial management principles and budget assumptions. It was then used as the framework for the detailed budget setting process to ensure that the Council's resources were managed effectively in order to meet its statutory responsibilities and delivers the priorities of the Council, over the medium term.

The report before Members considered the latest funding projections following confirmation of the Local Government Finance Settlement and outlined the progress made with the Council's Transformation Programme.

The report also outlined the proposed new areas on investment, together with a proposal for a Council Tax reduction of 1.5% for 2014/15.

Cllr Mrs McKinlay reminded Members of the resolution made by the Strategy and Policy Board at its meeting which had taken place immediately before the Ordinary Council meeting when the Board had resolved to ask Ordinary Council to agree the following recommendations for the 2014/15 budget:

- 1.1 To recommend a proposed Council Tax reduction of 1.5% for 2014/15.
- 1.2 To note the key assumptions that underpin the Medium Term Financial Plan and the associated risks.

- 1.3 To note the projected outturn for a balanced budget in 2013/14.
- 1.4 To recommend to Council the new investment areas for 2014/15 of:
 - i. Street Scene and Environment - £90,000
 - ii. A Prosperous Borough - £181,500
 - iii. Localism - £30,000
 - iv. A Safe Borough - £25,000
- 1.5 To recommend to Council that any costs arising from the development of William Hunter Way (up to a maximum of £1.2 million) will be met from the General Fund Working Balance, subject to the Working Balance not falling below the £2.5 million level.
- 1.6 To agree that a report be presented to Council should the minimum balance of £2.5 million be breached.
- 1.7 To take into consideration the Section 151 Officer's Assurance Statement on the robustness of the estimates and adequacy of the reserves.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in the report before Members.

Following a full discussion, pursuant to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the motion was recorded.

Cllr Mrs Beeston had left the meeting before the vote was taken.

For: Cllrs Braid, Clarke, Mrs Coe, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (20)

Against: Cllrs Aspinell, Baker, Carter, Clark, Mrs Cohen, Mrs Davies, Keeble, Kendall, Mynott and Sapwell. (10)

Abstain: Cllrs Le-Surf, Lloyd, Morrissey and Quirk (4)

The Motion was CARRIED and it was
RESOLVED:

1. To approve a Council Tax reduction of 1.5% for 2014/15.
2. To note the key assumptions that underpin the Medium Term Financial Plan and the associated risks.
3. To note the projected outturn for a balanced budget in 2013/14.
4. To approve the new investment areas for 2014/15 of:
 - i. Street Scene and Environment - £90,000
 - ii. A Prosperous Borough - £181,500
 - iii. Localism - £30,000
 - iv A Safe Borough - £25,000
5. To approve that any costs arising from the development of William Hunter Way (up to a maximum of £1.2 million) will be met from the General Fund Working Balance, subject to the Working Balance not falling below the £2.5 million level.
6. To approve that a further report be presented to Council should the minimum balance of £2.5 million be breached.
7. To take into consideration the Section 151 Officer's Assurance Statement on the robustness of the estimates and adequacy of the reserves.

387. Capital Programme 2014/15

The report before Members outlined the Capital Programme and supporting Strategy for the period 2014/15 – 2016/17.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendation in the report.

Cllr Aspinell had submitted an amendment prior to the meeting to the recommendations and MOVED and Cllr Kendall SECONDED the following:

That with regard to the Crossrail development, the Council designate funding within the £1.6m capital budget to enhance Brentwood and Shenfield Station approaches, and public realm facilities therein.

Cllr Aspinell wished to add more specific working to the amendment at the meeting but the Monitoring Officer advised this was not permissible.

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

Returning to the substantive motion, pursuant to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the motion was recorded.

Cllr Mrs Beeston had left the meeting before the vote was taken.

For: Cllrs Braid, Clarke, Mrs Coe, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (20)

Against: Cllrs Aspinell, Baker, Carter, Clark, Mrs Cohen, Mrs Davies, Keeble, Kendall, Mynott and Sapwelll. (10)

Abstain: Cllrs Le-Surf, Lloyd, Morrissey and Quirk (4)

The Motion was CARRIED and it was
RESOLVED:

To approve the proposed Capital Programme and Funding for 2014/15 – 2016/17.

388. Treasury Management Strategy Statement 2014/15

The report before Members outlined the Treasury Management Strategy for 2014/15 and associated Prudential Indicators.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations within the report .

Following a full discussion, pursuant to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the motion was recorded.

Cllr Mrs Beeston had left the meeting before the vote was taken.

For: Cllrs Braid, Clarke, Mrs Coe, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (20)

Against: Cllrs Aspinell, Baker, Carter, Clark, Mrs Cohen, Mrs Davies, Keeble, Kendall, Mynott and Sapwelll. (10)

Abstain: Cllrs Le-Surf, Lloyd, Morrissey and Quirk (4)

The Motion was CARRIED and it was
RESOLVED:

1. That the Treasury Management Strategy and Prudential Indicators for 2014/15 – 2016/17 be approved.
2. That the Minimum Revenue Provision (MRP) Statement be approved.
3. That the framework and criteria for determining counterparties and the Schedule of Approved Bodies for Investment be approved.

389. Council Tax

Members were reminded that the Council was the billing authority for the Borough of Brentwood and was required to set a Council Tax that would not only cover its own requirements, but also those of Essex County Council, Police and Crime Commissioner, Fire Authority and the Parish Councils.

The precept requirements for 2014/15 were:-

	2013/14 £	2014/15 £
Brentwood Borough Council	5,265,580	5,194,416
Essex County Council	33,522,977	33,573,402
Police and Crime Commissioner	4,364,234	4,456,991
Fire Authority	2,048,858	2,051,940
Parishes	281,611	301,626

A schedule of the Parish Precepts was attached as Appendix 2 to the report.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in the report.

Following a full discussion, pursuant to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the motion was recorded.

Cllr Mrs Beeston had left the meeting before the vote was taken.

For: Cllrs Braid, Clarke, Mrs Coe, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (20)

Against: Cllrs Aspinell, Baker, Carter, Clark, Mrs Cohen, Mrs Davies, Keeble, Kendall, Mynott and Sapwell. (10)

Abstain: Cllrs Le-Surf, Lloyd, Morrissey and Quirk (4)

The Motion was CARRIED and it was

RESOLVED:

1. That the Council be approve the formal Council Tax resolution contained in Appendix 1 to the report..

2. That it be noted that for the year 2014/15 Essex County Council, Essex Police and Crime Commissioner and Essex Fire Authority have stated the following in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 ("the Act") for each of the categories of dwellings (valuation band) shown below:

Valuation Band	Essex County Council £	Essex Police and Crime Commissioner £	Essex Fire Authority £
A	724.50	96.18	44.28
B	845.25	112.21	51.66
C	966.00	128.24	59.04
D	1,086.75	144.27	66.42
E	1,328.25	176.33	81.18
F	1,569.75	208.39	95.94
G	1,811.25	240.45	110.70
H	2,173.50	288.54	132.84

3. That having calculated the aggregate in each case of the amounts calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands and the amounts in 2. above, the Council, in accordance with Section 40 of the Act, hereby sets the amounts below as the amounts of Council Tax for the year 2014/15 for each of the categories of dwellings shown:

	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Blackmore	996.38	1,162.46	1,328.52	1,494.58	1,826.70	2,158.84	2,490.96	2,989.16
Doddinghurst	1,005.29	1,172.84	1,340.39	1,507.94	1,843.03	2,178.13	2,513.22	3,015.87
Herongate	991.72	1,157.01	1,322.30	1,487.58	1,818.15	2,148.73	2,479.30	2,975.16
Ingatestone and Fryerning	1,006.26	1,173.97	1,341.68	1,509.39	1,844.80	2,180.23	2,515.64	3,018.78
Kelvedon	996.40	1,162.47	1,328.54	1,494.60	1,826.73	2,158.87	2,491.00	2,989.21
Mountnessing	999.48	1,166.07	1,332.65	1,499.23	1,832.39	2,165.55	2,498.71	2,998.46
Navestock	991.72	1,157.01	1,322.30	1,487.58	1,818.15	2,148.73	2,479.30	2,975.16
Stondon Massey	997.40	1,163.64	1,329.88	1,496.11	1,828.57	2,161.05	2,493.51	2,992.22
West Horndon	1,010.57	1,179.00	1,347.43	1,515.85	1,852.71	2,189.57	2,526.42	3,031.71
Unparished	977.05	1,139.90	1,302.74	1,465.58	1,791.26	2,116.95	2,442.63	2,931.16

390. Medium Term Financial Plan (Housing Revenue Account) 2014/15

The report before Members considered the medium term Housing Revenue Account budget. It included results of the tenants' consultation, consideration of the Community Services Committee and the recommendation of Strategy and Policy Board concerning the proposed level of rent increase for 2014/15.

Cllr Mrs Pound MOVED and Cllr Parker SECONDED the recommendation in the report.

Following a full discussion, pursuant to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the motion was recorded.

Cllr Baker had left the meeting before the vote was taken.

For: Cllrs Braid, Mrs Coe, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Hossack, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (19)

Against: Cllrs Aspinell, Carter, Clark, Clarke, Mrs Cohen, Mrs Davies, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mynott, Quirk and Sapwell. (14)

Abstain: None.

The Motion was CARRIED and it was
RESOLVED:

1. That the Council approves a level of rent increase for 2014/15 based on the Government formula of RPI + 0.5% + £2 per week (for rents that have not yet converged) as detailed in the report.
2. To note the Section 151 Officer's Assurance Statement on the robustness of the estimates and adequacy of the reserves.

391. Pay Policy

The Council was requested to agree the draft Pay Policy 2014/15 as appended to the report in accordance with Section 38 (1) of the Localism Act 2011.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendation in the report.

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

To agree the draft 2014/15 Pay Policy Statement as set out in Appendix 1 to the report.

Minutes

Extraordinary Council 7 April 2014

Membership/Attendance

- | | |
|--------------------|---------------------|
| * Cllr Aspinell | * Cllr Kerlake |
| Cllr Baker | * Cllr Le-Surf |
| Cllr Mrs Beeston | * Cllr Lloyd |
| * Cllr Braid | * Cllr McCheyne |
| * Cllr Carter | * Cllr Mrs McKinlay |
| * Cllr Chilvers | * Cllr Morrissey |
| * Cllr G Clark | Cllr Mrs Murphy |
| * Cllr N Clarke | * Cllr Mynott |
| * Cllr Mrs Coe | * Cllr Dr Naylor |
| Cllr Mrs Cohen | * Cllr Parker |
| * Cllr Mrs Cornell | * Cllr Mrs Pound |
| * Cllr Mrs Davies | * Cllr Quirk |
| * Cllr Ms Golding | * Cllr Reed |
| * Cllr Mrs Henwood | * Cllr Russell |
| * Cllr Hirst | Cllr Sapwell |
| * Cllr Mrs Hones | * Cllr Sleep |
| Cllr Hossack | * Cllr Sparling |
| * Cllr Keeble | * Cllr Tee |
| * Cllr Kendall | |

*present

Officers Present

Ben Bix – Corporate and Democratic Services Manager
Alison Crowe - Managing Director
Ashley Culverwell – Head of Borough Health, Safety and Localism
Jo-Anne Ireland – Director of Strategy and Corporate Services
David Lawson – Monitoring Officer
Tony Pierce – Interim Head of Planning
Philip Ruck – Programme and Project Manager
Jean Sharp – Governance and Member Support Officer

428. Apologies for Absence

Apologies for absence were received from Cllrs Baker, Mrs Beeston, Mrs Cohen, Hossack, Mrs Murphy and Sapwell.

429. Mayor's Announcements

All present stood for a minute's silence in tribute to former Councillor Eric Walker and Mrs Jill Dimmock.

The Mayor recounted some of the engagements she had undertaken since December.

430. Memorials and Petitions

Cllr Mrs Coe presented a petition in support of an application to put the Tower Arms pub on the Council's community assets register and in support of keeping the pub as a pub.

The petition would be referred to the Community Services Committee for consideration.

Cllr Kerslake presented a petition requesting that the South Essex Parking Partnership (SEPP) urgently extend double yellow lines to address problems caused by vehicles parking in Hanging Hill Lane and Hutton Drive for Tesco.

The petition would be forwarded to SEPP for action.

431. Chairs Reports

Chairs' reports were noted and oral questions responded to by the relevant Chair. No written questions had been received.

432. LGA Peer Review Action Plan

Members were reminded that Brentwood Borough Council invited the Local Government Association to conduct a follow up Peer Review in November 2013.

The Peer review team issued their outcome letter on 13 February 2014, which had been published and was before Members.

In order to move forward on the recommendations included in the outcome letter an action plan had been drawn up to address the recommendations contained within the letter, both of which were before Members.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in the report.

Following a full discussion a Member requisitioned pursuant to Part 4.1 of the Constitution, Rule 9.5, that voting on the Motion be recorded. Members voted as follows:

FOR: Cllrs Braid, Mrs Coe, Mrs Cornell, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Kerlake, Lloyd, McCheyne, Mrs McKinlay, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (19)

AGAINST: Cllrs Chilvers and Clarke (2)

ABSTAIN: Cllrs Aspinell, Carter, Clark, Mrs Davies, Keeble, Kendall, Le-Surf, Morrissey, Mynott and Quirk (10)

The Motion was CARRIED and it was

RESOLVED that

Members agree the action plan (attached at Appendix 2 to the report) committing themselves and Officers to the investment in and delivery of the actions and that an update be brought to Council in six months' time.

433. Chair's Annual Overview and Scrutiny Report

In accordance with rule 7.3 of Part 4.4 of the Constitution (Overview and Scrutiny Committee Procedure Rules), the Overview & Scrutiny Committee was to produce an Annual Report to be presented to Council summarising its investigation and findings. The 2013-14 Annual report was before Members.

The Chair of the Overview and Scrutiny Committee, Cllr Mrs Hones, thanked those Members who had taken part in the Task and Finish Groups during the year.

Members noted that Cllr Reed had agreed to join the Member/Officer Communications Group to be led by Cllr Mynott.

Cllr Mrs Hones MOVED and Cllr Tee SECONDED the recommendations in the report and following a full discussion a vote was taken by a show of hands and it was

RESOLVED that

The Council approves the Annual Report of the Overview and Scrutiny Committee.

434. Review of Constitution

Members were reminded the Council was required by Section 37 of the Local Government Act 2000 to keep its Constitution up to date.

At its October meeting, the Council began a review of its constitution. The report before Members continued that review and set out proposals to review the Council, Committee and Overview and Scrutiny Procedural Rules, Standing Orders relating to Contracts and related scheme of delegation, Protocols for Licensing Committee and the terms of reference of the Licensing Committee and Sub-Committee, and to include a new section on Politically Restricted posts to comply with legislation.

The cross-party Constitution Working Group and Leaders of the Political Parties had been invited to participate in the consultation process.

Cllr Mrs McKinlay MOVED and Cllr Kerslake SECONDED the recommendations in the report.

Cllr Le-Surf MOVED and Cllr Aspinell SECONDED an AMENDMENT as follows:

“Further changes to the Constitution be deferred to later in the year”.

Following a full discussion a Member requisitioned pursuant to Part 4.1 of the Constitution, Rule 9.5, that voting on the AMENDMENT be recorded.

Members voted as follows:

FOR: Cllrs Aspinell, Carter, Chilvers, Clark, Clarke, Mrs Davies, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mynott and Quirk (13)

AGAINST: Cllrs Braid, Mrs Coe, Mrs Cornell, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Kerslake, McCheyne, Mrs McKinlay, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (18)

ABSTAIN: (0)

The AMENDMENT was LOST.

Returning to the substantive motion, a vote was taken on a show of hands and it was

RESOLVED that

1. The Council approves the changes to its Constitution as set out in the report and appendices to come into force from 1 May 2014 as follows:

- a) Changes to Constitution (Article 12)
- b) Council and Committee Procedural Rules (Part 4.1)
- c) Overview and Scrutiny Procedural Rules (Part 4.3)
- d) Standing Orders relating to Contracts (Part 4.6)
- e) Terms of Reference and Protocols for the Licensing and Licensing Sub-Committee (Part 3.1 and Part 5.5).
- f) Politically Restricted Posts (new part 5.6)

2. The financial threshold set by the Council for key decisions should be amended to £100,000 for goods and services and £500,000 for works.

435. Variation in the order of the agenda

In view of the lateness of the hour the Mayor proposed and Members agreed that agenda items 10 (Old Chapel Master Plan) and 11 (William Hunter Way Options) should be brought forward for consideration immediately.

436. Old Chapel Master Plan

Members were advised of the proposal for the promotion and implementation of an Old Chapel Master Plan as a planning framework for the redevelopment of the William Hunter Way car park and the Baytree Centre, so ensuring a co-ordinated and concerted public/private approach to the regeneration of Brentwood town centre.

Members were asked to endorse the strategic objectives of such a master plan set out in the report before them; and to invite all owners in the defined area to support these objectives and work with the Council to strive to meet them.

Cllr Mrs McKinlay MOVED and Cllr Parker SECONDED the recommendation within the report.

A Member requisitioned pursuant to Part 4.1 of the Constitution, Rule 9.5, that voting on the amended Motion be recorded. Members voted as follows:

FOR: Cllrs Braid, Mrs Coe, Mrs Cornell, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Kerslake, McCheyne, Mrs McKinlay, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (18)

AGAINST: Cllrs Aspinell, Carter, Chilvers, Clark, Mrs Davies, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mynott and Quirk (12)

ABSTAIN: Clarke (1)

The Motion was CARRIED and

RESOLVED:

1. That the Council works with other land owners in an area encompassing redevelopment sites at William Hunter Way and the Baytree Centre, to deliver upon an agreed master plan for the regeneration of the High Street, William Hunter Way and the wider town centre.
2. That the Council promotes the following draft strategic objectives for an Old Chapel master plan:
 - Enhancement of the public realm and setting of the Old Chapel of St Thomas A Becket, including new, active spaces and street life
 - Complementary redevelopment of sites that are integrated by new and improved public realm
 - Increased connectivity with Brentwood train station and local community facilities
 - New residential life to the town centre
 - Provision of larger shops and stores
 - Provision of a new cinema complex
 - ‘Smarter’, easier parking to support local businesses and visitors to the town centre

437. William Hunter Way Options

Members were reminded that the Council terminated the Development Agreement for the William Hunter Way site with Stockland on 6th February 2014 and now needed to consider options for the site.

Appendix 1 to the report before Members considered what options were available to the Council to ensure that it realised the regeneration benefits that the area afforded; maximized the opportunities offered by the improved market conditions and ensured that the Council took advantage of the work on the scheme performed under the old arrangement.

Cllr Mrs McKinlay MOVED the recommendations in the report, amended to include that ownership of the title of the site be consolidated, also that a further report be made to Full Council to consider next steps. Cllr Parker SECONDED the Motion. Following a full discussion, a vote was taken on a show of hands and it was

RESOLVED

1. That the Council proceeds with Option 6 as defined in the options paper attached to the report - “To re-market the site for development using a new refreshed development brief” under a long term lease.
2. That ownership of the title of the site be consolidated.

3. To undertake a consultation exercise as defined in Appendix A of the attached options paper. This consultation exercise to be combined with the consultation on the Old Chapel Masterplan as approved.
4. To prepare a refreshed development brief taking into account the outcome of the consultation exercise and to report back to Full Council.
5. That the governance of the project be determined by the Performance and Resources Committee who are to ensure that all key stakeholders are involved and that key Ward members are engaged and kept informed of the process. The governance to incorporate the Old Chapel Masterplan to ensure a common approach.
6. That Members note that a maximum sum of £1.2 million has been earmarked within the Medium Term Financial Plan (MTFP) 2014/15 – 2016/17 for this project.

(Cllr Mynott declared a pecuniary interest under the Council's Code of Conduct by virtue of living adjacent to the proposed development site. However, the Monitoring Officer had granted a dispensation for Cllr Mynott to participate in the discussion regarding William Hunter Way on the grounds that it was in the interests of persons living in the authority's area that he be able to put their views and concerns).

438. Members Code of Conduct and Complaints Procedure

Members were reminded that, under the Localism Act 2011, Councils must have in place "arrangements" for investigating and making decisions about allegations that a Member or Co-opted Member of the Authority or Parish Council has breached the Code of Conduct.

The report before Members proposed a revised procedure for dealing with such complaints to replace Appendix 2 of Part 5.1 of the Constitution for the reasons set out in the report.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations included in the report and it was

RESOLVED

That from 1 May 2014, the Council adopts a revised Member complaints process as set out in Appendix 1 to the report to replace Appendix 2 of Part 5.1 of the Council's Constitution.

439. Appointment of Independent Persons for the Purpose of the Localism Act 2011

Members were reminded that the Localism Act 2011 required all principal authorities to have arrangements in place to consider allegations of breaches of the Councillors Code of Conduct for that authority and the Code of Conduct for its

associated parish councils and to make decisions on those allegations. In doing so, an authority must take account of the views of an Independent Person appointed by the authority under the Localism Act. The report related to the proposal that Brentwood Borough Council confirmed the appointment of three Independent Persons to comply with the statutory requirements of the Localism Act 2011.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in the report and it was

RESOLVED UNANIMOUSLY that

The Council confirms the appointment of Mr John Boylin, Mr Mike Hawkins and Mr Steve Marsh as the three Independent Persons to comply with the statutory requirements of Section 28(7) of the Localism Act 2011 for a period terminating post the first Council after municipal elections 2016

And **RESOLVED**

That a Brentwood Borough Council Independent Person be paid an annual allowance of £500 calculated on a pro-rata 12 monthly basis.

440. Notice of Motions: Mental Health Challenge

Cllr Tee advised that the Mental Health Challenge as described in the report before Members raised the profile of the issues faced by those suffering from mental health conditions and would support the council in identifying their needs to ensure equality of services the Council delivered. Cllr Tee had submitted the following Motions:

1. That Brentwood Council agrees to adopt the Mental Health Challenge
2. That the position of 'Elected Member Mental Health Champion' be occupied by Cllr Janet Pound.

Cllr Braid SECONDED the Motions. A vote was taken on a show of hands and the Motions were CARRIED.

441. Notice of Motion: Essex County Council

Cllr Mrs Davies had submitted the following Motion:

"We call on Brentwood Borough Council to liaise with Essex County Council to identify all ditches and culverts under their ownership and ensure a programme of clearance is carried out as a matter of urgency to help eliminate the recent flooding to roads in the Borough. In addition we request a letter is sent to all appropriate

landowners in the Borough highlighting their legal responsibility to maintain their ditches to prevent run off from fields”.

Cllr Clark SECONDED the Motion. A vote was taken on a show of hands and the MOTION was CARRIED.

442. Notice of Motion: School Crossing Patrols

Cllr Kendall had submitted the following Motion:

“Brentwood Borough Council calls on Essex County Council to recognise the level of concern members have with regard to the current review that is being undertaken on the future operation and allocation of School Crossing Patrols across Essex. This Council would be totally opposed to the County Council cutting any funding from the School Crossing Patrols in the Borough of Brentwood because we believe they provide a vital frontline service and help to ensure that children and parents remain safe when crossing the road”.

Cllr Aspinell SECONDED the Motion.

Cllr Mrs McKinlay MOVED and Cllr Parker SECONDED an AMENDMENT to the Motion to read as follows:

"BBC calls on ECC to recognise the level of concern members have with regard to the current review that is being undertaken on the future operation and allocation of School Crossing Patrols across Essex.

This Council supports all members who wish to protect crossings in their ward and explore all funding opportunities, in order to provide a vital frontline service and help to ensure children and parents remain safe when crossing the road."

Voting on the AMENDMENT was made by a show of hands and it was CARRIED.

A Member requisitioned pursuant to Part 4.1 of the Constitution, Rule 9.5, that voting on the amended Motion be recorded. Cllrs Carter and Chilvers had left the meeting before the vote took place. Members voted as follows:

FOR: Cllrs Aspinell, Braid, Clark, Clarke, Mrs Coe, Mrs Cornell, Mrs Davies, Ms Golding, Mrs Henwood, Hirst, Mrs Hones, Keeble, Kendall, Kerlake, Le-Surf, McCheyne, Mrs McKinlay, Morrissey, Mynott, Dr Naylor, Parker, Mrs Pound, Reed, Russell, Sleep, Sparling and Tee (27)

AGAINST: Cllr Lloyd (1)

ABSTAIN: Quirk (1)

The Motion was CARRIED.

443. Notice of Motion: Proposal for Avenue of Trees on Shenfield Common

Cllr Reed had submitted a motion and since it related to a civic matter had invited the Mayor to move it.

Cllr Mrs Henwood MOVED and Cllr Mynott SECONDED the following:

“This Council proposes that a new avenue of Lime Trees to be planted alongside the existing pathway across Shenfield Common (adjacent to The Toby Carvery) as designed by the Borough's Arboriculturalist, is named The Jill Dimmock Peace Walk, subject to the agreement of the Conservators of Shenfield Common.

Voting took place on a show of hands and Members voted unanimously that the MOTION be CARRIED.

Meeting concluded 00.38 am 8.4.2014



Minutes

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 polices 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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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

<u>PLANNING AND DEVELOPMENT CONTROL COMMITTEE</u>	<u>*LICENSING COMMITTEE</u>
<p>Membership 11 (Con 5 , Lib Dem 3, Brentwood First 2, Labour 1)</p> <p>Conservative</p> <ol style="list-style-type: none">1. Cllr Mrs N Hones2. Cllr Mrs M Henwood3. Cllr J Cloke4. Cllr C Hossack5. Cllr R McCheyne <p>Lib Dem</p> <ol style="list-style-type: none">1. Cllr P Mynott (Vice-Chair)2. Cllr R Carter3. Cllr Mrs L Cohen <p>Brentwood First</p> <ol style="list-style-type: none">1. Cllr P Baker (Chair)2. Cllr Mrs J Squirrell <p>Labour</p> <ol style="list-style-type: none">1. Cllr J Morrissey	<p>Membership 12 (Con 6, Lib Dem 4, Brentwood First 1, Labour 1)</p> <p>Conservative</p> <ol style="list-style-type: none">1. Cllr M Reed2. Cllr Mrs M Henwood3. Cllr Dr A Naylor4. Cllr Mrs S Murphy5. Cllr W Russell6. Cllr Mrs N Hones <p>Lib Dem</p> <ol style="list-style-type: none">1 Cllr Mrs L Cohen (Chair)2. Cllr J Newberry3. Cllr Mrs J Hubbard4. Cllr P Mynott <p>Brentwood First</p> <ol style="list-style-type: none">1. Cllr W Lloyd <p>Labour</p> <ol style="list-style-type: none">1. Cllr G Barrett (Vice Chair) <p>*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>

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

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.

JUNE, 2014				
Monday	Tuesday	Wednesday	Thursday	Friday
2	3	4	5	6
9	10	11 Annual Council	12	13
16	17	18	19	20
23	24 Planning Committee	25	26	27
30 Finance and Resources Committee				

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

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

SEPTEMBER, 2014				
Monday	Tuesday	Wednesday	Thursday	Friday
1	2 School Holiday End Planning Committee	3	4	5
8	9 Licensing Committee	10 Housing Committee	11	12
15	16 Environment Committee	17 Asset and Enterprise Committee	18	19
22 Labour Party Conference	23 Labour Party Conference	24 Labour Party Conference	25	26
29 Conservative Party Conference	30 Conservative Party Conference Audit & Scrutiny Committee			

OCTOBER, 2014				
Monday	Tuesday	Wednesday	Thursday	Friday
		1 Conservative Party Conference	2	3
6 Liberal Democrat Party Conference	7 Liberal Democrat Party Conference	8 Liberal Democrat Party Conference	9	10
13	14 Planning Committee	15 Business and Town Centre Committee	16	17
20	21 Community Committee	22 Ordinary Council	23	24
27 School Holiday Start	28	29 Finance and Resources Committee	30	31 School Holiday End

NOVEMBER, 2014				
Monday	Tuesday	Wednesday	Thursday	Friday
3	4 Planning Committee	5 Housing Committee	6	7
10	11 Licensing Committee	12 Environment Committee	13	14
17	18 Asset and Enterprise Committee	19	20	21
24	25	26 Audit & Scrutiny Committee	27	28

DECEMBER, 2014				
Monday	Tuesday	Wednesday	Thursday	Friday
1	2 Planning Committee	3	4	5
8	9	10 Ordinary Council	11	12
15	16 Business and Town Centre Committee	17 Community Committee	18	19
22 School Holiday Start	23	24	25 Bank Holiday	26 Bank Holiday
29	30	31		

JANUARY, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
			1 Bank Holiday	2 School Holiday End
5	6 Planning Committee	7 Housing Committee	8	9
12	13 Licensing Committee	14 Finance and Resources Committee	15	16
19	20 Environment Committee	21 Asset & Enterprise Committee	22	23
26	27 Audit & Scrutiny Committee	28	29	30

FEBRUARY, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
2	3 Planning	4 Ordinary Council	5	6
9	10	11 Finance and Resources	12	13
16 School Holiday Start	17	18	19	20 School Holiday End
23 Business and Town Centre Committee	24 Community Committee	25	26	27

MARCH, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
2	3 Planning Committee	4 6pm Assizes Ordinary Council	5	6
9	10	11 Housing Committee	12	13
16	17	18 Environment Committee	19	20
23	24 Business and Town Centre Committee	25 Community Committee	26	27
30 School Holiday Start	31			

APRIL, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
		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	

MAY, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
				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

JUNE, 2015				
Monday	Tuesday	Wednesday	Thursday	Friday
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			

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

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

02 July 2014

Ordinary 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 can be 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.
- 1.2 The list of nominations for representatives on outside organisations is presented at the Annual Council meeting each year for Members' approval and was presented at the 11 June Annual Council meeting but Members resolved to defer a final decision until the Ordinary Council meeting on 2 July 2014 to enable further consideration and discussion.

2. Recommendation

- 2.1 **Members are requested to approve the list of nominated representatives attached as Appendix A (to follow).**

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 can be 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. Attached as Appendix A is the proposed list of Member representatives for 2014/15 which includes an additional organisation.

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 additional financial implications.

Legal Implications

Name & Title: David Lawson, Monitoring Officer
Tel & Email: 01277 312860

7.2 In accordance with the Constitution the appointment of representatives to outside bodies is a Council function.

8. Background Papers

8.1 None.

9. Appendices to this report

- Appendix A – Proposed outside organisation representatives for 2014-15.

Report Author Contact Details:

Name: Jean Sharp
Telephone: 01277 312655
E-mail: jean.sharp@brentwood.gov.uk

Wednesday 2 July 2014

Ordinary Council

Five Year Housing Land Supply Update

Report of: *Tony Pierce, Acting Head of Planning*

Wards Affected: *None*

This report is: *Public*

1. Executive Summary

- 1.1 The Council, as a local planning authority, is required to identify and keep up-to-date a deliverable five year housing land supply, as prescribed in the National Planning Policy Framework (NPPF).
- 1.2 To be considered deliverable, the NPPF stipulates sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development on the site is viable.
- 1.3 In addition to identifying and keeping up to date a five year housing supply the NPPF also requires local planning authorities to identify a supply of specific developable sites or broad locations for growth, for years 6-15. In terms of identifying the borough's 6 to 15 year supply of developable sites, there remain choices to be made about the policy options to be pursued in the emerging Local Plan.
- 1.4 This report updates Members on changes to national planning policy for housing and seeks approval for an interim housing figure for use pending progress towards adoption of the new Local Plan. Agreement of an interim five year housing supply would assist in decision making on planning applications, enabling appropriate sites for new housing development to come forward ahead of the emerging Local Plan.
- 1.5 The Council's current five year housing land supply was approved in July 2012 and sets out the housing position over the five year period for 2012-2017. This report recommends that the five year housing land supply be revised to take account of changes since July 2012, in order to maintain an up-to-date five year housing land supply position over the five

year period for 2013-2018. The draft Interim Five Year Housing Land Supply is set out in **Appendix A**.

2. Recommendation(s)

2.1 That the Interim Five Year Housing Land Supply be approved.

2.2 That a report updating the Five Year Housing Land Supply be brought back to a future meeting of the Committee.

3. Introduction and Background

- 3.1 To help with boosting the supply of housing, the NPPF, published March 2012, requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements (together with an additional buffer of 5%, or 20% in areas with a persistent record of under delivery).
- 3.2 Previously, housing targets for Brentwood were set by the East of England Plan. The Plan was revoked on 3 January 2013 after which it no longer formed part of the development plan.
- 3.3 The recently published Planning Practice Guidance (PPG) (March 2014) advises that, instead, housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply.
- 3.4 However, in the absence of an up-to-date adopted Local Plan (as is the current position at Brentwood), the PPG advises that information provided in the latest full assessment of housing needs should be considered. However, weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints. Where there is no robust recent assessment of full housing needs, the household projections published by the Department of Communities and Local Government (CLG) should be used as the starting point.
- 3.5 Therefore having an understanding of housing supply is key to complying with the NPPF requirement to demonstrate the expected rate of housing delivery and how housing need will be met (paragraph 47). Where local authorities cannot demonstrate a five year supply, planning applications for housing will be considered favourably in light of national policy.

- 3.6 The Council usually updates its five year housing supply position annually, the timing of which is determined by the validation of residential monitoring data received from Essex County Council (usually July/August each year). The postponement in the publication over the five year period for 2013-2018 has been in consequence of anticipated changes to planning policy introduced by PPG which was not published until March 2014. Moreover, in light of a recent appeal and the need to clarify the Council's position in relation to Development Management, an interim five year housing land supply position has now been prepared.

4. Issue, Options and Analysis of Options

- 4.1 The starting point for any new local housing requirement or assessment of 'objectively assessed needs' (OAN) is an assessment of the number of new homes needed to satisfy market demand and affordable housing needs.
- 4.2 Significant progress has been made in the progression of the new Local Development Plan. The current Preferred Options Local Plan 2015-2030 identifies the borough's objectively assessed housing need as between 331 and 362 dwellings a year (4,964 to 5,430 dwellings over the plan period).
- 4.3 In preparing the Plan, work undertaken to determine the objectively assessed housing needs considered a range of 13 demographic forecasts produced by Edge Analytics for Essex Planning Officers Society and a review of the CLG and Office of National Statistics (ONS) projections over the period 2008 to 2011.
- 4.4 In the absence of an up-to-date adopted Local Plan the borough's five year housing requirement is based on a figure of 362 dwellings a year, the upper end of the objectively assessed needs range published in the Preferred Options Local Plan 2015-2030. A figure at the top end of this range is deemed prudent given market signals, the timing of the economic recovery and recent decisions made by the Planning Inspectorate (PINS) in respect of other Local Plans under similar circumstances.
- 4.5 It is also reasonable to measure delivery of housing against the housing targets or requirements in place at the time. Between 2001 and 2013 Brentwood exceeded the East of England Plan housing target every year and cumulatively by 433 dwellings. In view of this, no shortfall in provision

has been included in the calculated five year housing land supply, as shown in table 1.

Table 1: The Five Year Requirement 2013-2018

Five Year Requirement 2013-2018	
	Dwellings
OAN Requirement 2015 – 2030 (362 x 15)	5,430
Pre-Plan Requirement (362 x 2)	724
Total Requirement 2013 - 2030	6,154
Annual Requirement (6,154 / 17)	362
Five Year Requirement (362 x 5)	1,810
Plus Buffer of 5% (5% of 1,810)	+91
Five Year Requirement including Buffer of 5% (1,810 + 91)	1,901

- 4.6 PPG stipulates that deliverable sites can include those that are allocated in the development plan as well as those with planning permission, and that sites without planning permission or a plan allocation can also be considered deliverable, if there are no significant constraints to overcome.
- 4.7 Therefore, housing sites included in the five year supply are either sites with planning permission which are not yet recorded as fully completed (ie not started or under construction), sites awaiting completion of S106 agreements or sites proposed to be allocated in the Preferred Options Local Plan 2015-2030. Following careful checking, these sites are considered deliverable with no significant constraints to overcome. A breakdown of the sites which form the five year housing land supply 2013-2018 is shown in table 2.
- 4.8 As there has been no record of persistent under delivery of housing in Brentwood, in accordance with paragraph 47 of the NPPF an additional buffer of 5% must be applied to the Borough's five year requirement. Increasing the five year requirement to 2018 from 1,810 dwellings to 1,901.

Table 2: The Five Year Housing Supply of Land 2013-2018

The Five Year Housing Supply of Land 2013-2018	
	Dwellings
Dwelling sites with permission	344
Dwelling sites with permission subject to Section 106 Agreement	32
Sites proposed to be allocated in the Preferred Options Local Plan 2015 – 2030 – Major Sites	1,189
Sites proposed to be allocated in the Preferred Options Local Plan 2015-2030 - Small sites (9 units and under)	67
Total	1,632

- 4.9 As set out in table 3, Brentwood Borough Council has an overall amount of identifiable and deliverable housing land supply for 1,632 homes over the next five years. This is 269 fewer than the calculated five year requirement and equates to a housing land supply of 4.29 years.

Table 3: Summary of five year housing supply with 5% buffer included – 1 April 2013 to 31 March 2018

Calculated five year requirement plus buffer of 5% (from Table 1)	1,901 homes
Annual average requirement (1,901 / 5)	380.2 homes
Total identifiable five year supply (from Table 2)	1,632 homes
How many years housing supply? (1,632 / 380.2)	4.29 years

- 4.10 A comprehensive approach has been taken to assess the deliverability of sites included within the five year housing land supply. As part of this approach, relevant representations made during the consultation on the Preferred Options Local Plan (which took place between 24 July and 2 October 2013) have been analysed and inform site selection and site build out rates. Ongoing discussions with site developers/landowners has added to this understanding.
- 4.11 In addition to the above, all sites proposed to be allocated within the Preferred Options Plan and identified in the interim five year housing land supply are the subject of an independent housing viability assessment, which is near to completion and will inform the updated five year housing supply.

- 4.12 It will be necessary to increase the supply of housing to achieve compliance with the NPPF. This will be possible if an allowance is made for “windfalls” (homes built on unidentified sites) or if student housing and accommodation for older people in residential institutions is included within the five year supply calculation. Preliminary assessment of these elements of housing supply show that accommodation for older people has formed and is expected to continue to form an important contribution to housing supply in Brentwood. The updated Five Year Housing Land Supply will take into account these matters.
- 4.13 While the NPPF and PPG allow this approach, the five year assessment will have to be carefully analysed to prevent the risk of double counting between small sites with permission and the windfall allowance, and the fact that accommodation for older people and students is comprised of bedrooms compared to dwellings. At present there is no robust approach for the translation of how this information should be included and as a result these potential additions have been excluded within this interim five year supply calculation.
- 4.14 Whilst every effort has been made to ensure the interim document is robust, the Council’s opinions on the deliverability of sites is open to challenge and this may need to be amended as a result of any consequent appeal decisions. It is proposed any necessary amendments be included in an updated five year housing supply.
- 4.15 The five year housing supply is best updated with the inclusion of residential monitoring data (carried out annually by Essex County Council for Brentwood Borough Council as part of a Service Level Agreement). Data is usually received in the late July/August (after the preceding financial year) and then needs to be validated. Once the 2013/14 data has been validated, the forthcoming economic viability assessment completed, further progression made on the Council’s emerging Local Plan and the forthcoming Brentwood Strategic Housing Market Availability Assessment (SHMA) is published, a full and updated review of the five year housing supply can be presented. This could be as early as September 2014.

5. Reasons for Recommendation

- 5.1 Without a five year housing land supply, local housing policies are considered out of date. Where relevant policies are out of date, planning applications for housing will be considered favourably in light of national policy, unless any adverse impacts outweigh the benefits, or other policies

indicate otherwise, when assessed against NPPF (paragraph 10). It is critical that a five year housing land supply is developed and demonstrated, to ensure that the emerging Local Plan strategy, once adopted, is considered effective in informing planning decisions taken locally.

- 5.2 Without a five year housing supply it is more difficult to resist housing proposals solely for the reason that they are inconsistent with the emerging spatial strategy and provision of planned infrastructure. Indeed, there is a risk that where the Council refuse such proposals, that appeals will increase.

6. Consultation

- 6.1 No formal consultation has been undertaken on the Five Year Supply document, although sites that make up the supply have been subject to consultation as part of the Local Development Plan Preferred Options (July-October 2013).

7. References to Corporate Plan

- 7.1 The five year housing supply is an integral part of the Council's emerging Local Development Plan, a key priority in the Council's Corporate Plan as part of 'A Prosperous Borough'. Approval of the five year housing supply will enable continued preparation of the Plan in order that it stands the best chance of being found 'sound' at Examination.

8. Implications

Financial Implications

**Jo-Anne Ireland, Director of Strategy and Corporate Services
(Section 151 Officer)
01277 312712 / jo-anne.ireland@brentwood.gov.uk**

- 8.1 Funding for the Local Development Plan and associated documents has been included within the Medium Term Financial Plan. There are no additional financial implications arising from this report.

Legal Implications

**Philip Cunliffe-Jones, Planning Lawyer
01277 312703 / p.cunliffe-jones@brentwood.gov.uk**

- 8.2 The NPPF requires local planning authorities to maintain a five year supply of housing land. In order to do this the Council needs to agree how

many homes to plan for in the Borough. Without a five year land supply planning decisions will be more open to challenge.

Other Implications

9. Background Papers

- 9.1 Five Year Housing Supply Assessment 2012-2017 (July 2012)
- 9.2 Local Plan 2015-2030 Preferred Options for Consultation (July 2013)
- 9.3 Edge Analytics Demographic Forecasts - Phase 5: Main Report (April 2014)
- 9.4 All above documents can be viewed on the Council's website at www.brentwood.gov.uk/localplan

10. Appendices to this report

- Updated Draft Brentwood Interim Five Year Housing Supply Assessment 2013 to 2014 (June 2014)

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DRAFT Brentwood interim five year housing land supply 2013 to 2018

An assessment of specific deliverable sites sufficient to provide
five years worth of housing land supply in Brentwood Borough

June 2014

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Executive Summary

- This paper sets out an assessment of whether there is a five year supply of deliverable housing land within Brentwood Borough, setting out the position as at April 2013 over the five year period from 2013-2018.
- Published in May 2014 using April 2013 residential land monitoring data, this assessment supersedes the 2012-2017 version published in July 2012.
- The National Planning Policy Framework (NPPF) requires local planning authorities to boost the supply of housing in their local areas by annually identifying and updating a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%.
- It is assumed that delivery of housing is measured against the housing targets in place at the time, as the East of England Plan was revoked on 3rd January 2013 the completion rates for the year 2012/13 are incorporated against the RSS housing targets. At April 2013 a total of 2,533 dwellings have been completed within the Borough since 2001. This is 433 above the Regional Spatial Strategy (RSS) requirement to 2013. All future housing completion figures will no longer be assessed against the now revoked RSS targets.
- The starting point for any new local housing target or assessment of 'objectively assessed needs' (OAN) is an assessment of the number of new homes needed to satisfy market demand and affordable housing needs.
- The Preferred Options Local Plan 2015-2030 identifies the borough's objectively assessed housing need as between 331 and 362 dwellings a year (4,964 to 5,430 dwellings over the plan period). In the absence of an up-to-date adopted Local Plan, and pending the forthcoming publication of a jointly commissioned Strategic Housing Market Assessment (SHMA) (with local authorities in Chelmsford, Maldon, Braintree and Colchester), the borough's interim five year housing requirement is based on the top end of the objectively assessed needs range published in the Preferred Options Local Plan 2015-2030, a figure of 362 dwellings a year.
- Housing sites included in the five year supply are either, sites with planning permission which are not yet recorded as fully completed (ie not started or under construction), sites awaiting completion of S106 agreements or sites proposed to be allocated in the Preferred Options Local Plan 2015-2030 published July 2013, these sites are considered deliverable with no significant constraints to overcome.
- Brentwood Borough has an overall amount of identifiable and deliverable housing land supply for 1,632 homes over the next five years. That is 269 homes fewer than the calculated five year requirement. This equates to a housing land supply of 4.29 years. The required additional 5% buffer as set out in the NPPF is included within the calculated five year requirement.
- This paper concludes that the Borough cannot demonstrate a five year deliverable supply of housing land. In accordance with the NPPF it is recognised local authorities should have a forward looking approach to the five year housing supply. The Council will review its five year housing supply position when April 2014 residential land monitoring data becomes available.

1 Background

Housing Delivery Requirement

- 1.1 The Council is required by the National Planning Policy Framework (NPPF) to boost significantly the supply of housing in their local areas. NPPF Paragraph 47 sets out the requirements to “identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.”
- 1.2 NPPF Paragraph 47 also stipulates that where there has been a record of persistent housing under delivery, the buffer should increase to 20%. There has been consistent oversupply of housing in Brentwood Borough since 2001. Therefore, this assessment assumes a 5% buffer is used.
- 1.3 To be considered deliverable, a site should be **available** now, offer a **suitable** location for development now, and be **achievable** with a realistic prospect that housing will be delivered on the site within five years. Particular emphasis is placed on whether development of the site is viable.
- 1.4 National Planning Practice Guidance (PPG) on Housing and Economic Land Availability Assessment, stipulates that deliverable sites can include those that are allocated in the development plan as well as those with planning permission, and that sites without planning permission or a plan allocation can also be considered deliverable if there are no significant constraints to overcome.
- 1.5 This assessment will inform the assessment and determination of planning applications for housing development. Housing applications should be considered in the context of the presumption in favor of sustainable development. Where local authorities cannot demonstrate a five year supply, planning applications for housing will be considered favourably in light of national policy.

2 The Housing Requirement

- 2.1 The PPG on Housing and Economic Land Availability Assessment, advises that housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply.
- 2.2 Until January 2013, the housing target for Brentwood Borough was set by the East of England Regional Spatial Strategy (RSS). It specified the annual average rate of provision for Brentwood as 3,500 dwellings (net) to be built between 2001 and 2021. The East of England Plan was revoked on 3rd January 2013, after which the East of England Plan no longer formed part of the development plan.
- 2.3 In the absence of an up-to-date adopted Local Plan the PPG advises that “information provided in the latest full assessment of housing needs should be considered. But weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints. Where there is no robust recent assessment of full housing needs, the household projections published by the Department of Communities and Local Government should be used as the starting point”.

Brentwood’s Housing Requirement

- 2.4 At present there is no adopted housing requirement for the Borough. Brentwood’s emerging Local Plan 2015-2030 is at the Preferred Options stage and was published for public consultation in July 2013.
- 2.5 The starting point for any new local housing target or assessment of 'objectively assessed needs' (OAN) is an assessment of the number of new homes needed to satisfy market demand and affordable housing needs.
- 2.6 The Preferred Options Local Plan 2015-2030 identifies the borough’s objectively assessed housing need as between 331 and 362 dwellings a year (4,964 to 5,430 dwellings over the plan period). This objectively assessed needs range has been informed and verified by demographic projections commissioned by members of the Essex Planning Officers Association¹ (EPOA) and produced by Edge Analytics.
- 2.7 Edge Analytics has delivered a range of demographic forecasts, providing a suite of scenarios from which future growth trajectories might be evaluated. This evidence includes a variety of scenarios, including migration-led, dwelling-led and economic-led approaches to demographic forecasts. The latest *Phase 5* (April 2014) population projection analysis carried out by Edge Analytic suggests that the dwellings projection figure for Brentwood is 362 per annum over the plan period 2015 to 2030.

¹ EPOA represents the twelve Local Planning Authorities in Essex, as well as the two unitary authorities of Southend-on-Sea and Thurrock and the County Council of Essex. The Association has also extended a welcome to East Hertfordshire District Council and Welwyn-Hatfield Borough Council as full contributing members of the project. The project also includes preparation of demographic forecast scenarios for additional local planning authorities which are not contributing to the project. This broader approach has been taken in order to provide EPOA members with equivalent demographic data for all their neighbouring authorities or sub-regional partners. This feature of the project is intended to facilitate the ‘duty to cooperate’ for all EPOA member authorities.

- 2.8 In the absence of an up-to-date adopted Local Plan, and pending the forthcoming publication of a jointly commissioned Strategic Housing Market Assessment (SHMA) (with local authorities in Chelmsford, Maldon, Braintree and Colchester), the borough's interim five year housing requirement is based on the top end of the objectively assessed needs range published in the Preferred Options Local Plan 2015-2030, a figure of 362 dwellings a year.

**Five Year Requirement is based on 362 dwellings per annum
A total of 5,430 dwellings over the plan period 2015-2030**

3 The Five Year Requirement

Applying the Buffer of 5% or 20%

- 3.1 The NPPF states that an additional buffer of 5% of sites, moved forward from later in the plan period, should be added to the five year requirement in order to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, the NPPF requires local planning authorities to increase the buffer to 20%.
- 3.2 It is assumed that the under delivery of housing is measured against the housing targets or requirements in place at the time. Brentwood Borough's consistent over delivery of its housing requirement between 2001 and 2013 is demonstrated in Table 1. As the RSS was revoked on 3rd January 2013 the completion rates for the year 2012/13 are incorporated against the RSS housing targets.

Table 1: Brentwood Borough cumulative housing completions 2001-2012

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Total completions (net)	182	263	204	151	116	218	244	251	166	394	132	212
Total cumulative completions (net)	182	445	649	800	916	1134	1378	1629	1795	2189	2321	2533
RSS annual completion rate	175	175	175	175	175	175	175	175	175	175	175	175
RSS cumulative completion rate	175	350	525	700	875	1050	1225	1400	1575	1750	1925	2100
Surplus/Deficit compared to RSS	+7	+95	+124	+100	+41	+84	+153	+229	+220	+439	+396	+433

Note: Housing targets 2001-2021 taken from approved East of England Plan (RSS)

- 3.3 Between 2001 and 2013 the RSS housing requirement was exceeded every year and cumulatively by 433 dwellings. In view of this a buffer of 5% is applied to the housing requirement.

Calculating the Five Year Requirement

Table 2: Five Year Requirement 2013-2018

Five Year Requirement 2013-2018	
	Dwellings
OAN Requirement 2015 – 2030 (362 x 15)	5,430
Pre-Plan Requirement (362 x 2)	724
Total Requirement 2013 – 2030	6,154
Annual Requirement (6,154 / 17)	362
Five Year Requirement to 2018 (5 years beyond 2013) (362 x 5)	1,810
Plus Buffer of 5% (5% of 1,810)	+91
Five Year Requirement including Buffer of 5% (1,810 + 91)	1,901

The Five Year Requirement including Buffer of 5% is 1,901 Dwellings

4 The Five Year Land Supply

Demonstrating a Deliverable Five Year Housing Supply

- 4.1 This paper assesses whether or not there is a five year supply of deliverable housing land within Brentwood Borough from April 2013 to March 2018.
- 4.2 Specific sites are identified that the Council considers likely to contribute to the delivery of five years housing provision. These sites, set out in detail in the Appendix 1, include:
- Sites with planning permission and under construction but not yet complete
 - Sites with planning permission but where building work has yet to commence
 - Sites with planning permission subject to Section 106 agreement
 - Sites proposed to be allocated in the Preferred Options Local Plan 2015-2030 (these sites have been split into large and small sites in Appendix 1)
- 4.3 The PPG allows student housing and accommodation for older people in residential institutions (use class C2) to be included within the five year supply calculation. Such accommodation is comprised of bedrooms as opposed to dwellings, and as such, the number of bedrooms provided cannot simply be used as a proxy for the number of dwellings, therefore given the lack of detailed information on this translation no allowance for student accommodation and accommodation for older people in residential institutions has been made in the calculation of the five year supply.
- 4.4 The PPG also allows the re-use of empty homes to be included within the five year supply calculation. Although re-use of empty homes provides an important source to meet housing needs, as with replacement dwellings, bringing empty homes back into use does not normally add to the overall supply of new housing, as there is no 'net' increase in supply, therefore no allowance for the re-use of empty homes has been made in the calculation of the five year supply.
- 4.5 Sites with planning permission, included within Appendix 1, have all been assessed as having a reasonable prospect of delivery within the five year period; this includes those sites with outline permission or those subject to a Section 106 agreement. It is considered all sites included within Appendix 1 are not subject to any constraints that would jeopardise their development by 2018.

Draft Plan Allocations

- 4.6 Comprehensive assessments of potential sites have been carried out by the Council, independent technical specialists and other bodies. Following an open call for sites exercise in 2009, Brentwood's *Strategic Housing Land Availability Assessment* (SHLAA, 2011) has been the main source of potential housing sites to be considered for allocation in Brentwood's Preferred Options Local Plan 2015-2030. Other sites came forward through the plan process and through discussions with land owners.
- 4.7 To determine which land to allocate in the Preferred Options Local Plan sites have been assessed against criteria, including (but not limited to) the following:
- ability to deliver the overall spatial strategy and vision
 - whether sites are suitable for housing
 - accessibility – to public transport, services and facilities
 - infrastructure provision
 - impact on the Green Belt, landscape, visual amenity, heritage, transport and environmental quality including wildlife, flood-risk, air and water pollution
 - impact on highways
 - whether the site is likely to come forward over the plan period
- 4.8 A *Draft Site Assessment* (July 2013) supports the Preferred Options Plan by using the same proforma for the assessment of sites as used in the SHLAA.
- 4.9 Consultation on the Preferred Options Local Plan 2015-2030 took place between 24 July and 2 October 2013. Analysis of representations from site developers/landowners has been used to inform the five year housing supply; representations in relation to site build out rates and anticipated lead in times have been considered in the identification of the five year housing trajectory. These representations are set out in Appendix 2.
- 4.10 Following feedback from the Preferred Options consultation the following sites have been discounted from consideration in the interim five year housing land supply:
- Woodlands, School Road, Kelvedon Hatch
 - Garage courts adjacent 49 Lavender Avenue, Pilgrims Hatch
- 4.11 The issue of development viability is one of increasing importance. As part of the Local Plan process, the *Brentwood Borough Council CIL Viability Assessment (Nov 2013)* has been undertaken to inform the setting of a charging schedule. The report provides an appraisal of the viability of Brentwood's Preferred Options Local Plan in terms of the impact of its policies on the economic viability of development proposed to be delivered by the Plan and the potential for development to yield Community Infrastructure Levy (CIL).

Windfall Sites

- 4.12 No allowance for windfall sites has been made in the calculation of the interim five year supply. However, paragraph 48 of the NPPF indicates that local planning authorities may make an allowance for windfalls in the five year supply if they have compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply. Any allowance should be realistic and based on historic windfall delivery rates and expected future trends, and should not include residential gardens.
- 4.13 Windfall sites of all sizes have provided a continuous supply of additional housing in the Borough for a number of years and are expected to contribute additional housing supply in the future. Table 3 shows in the last five years, windfalls on non-residential land have made up 21% of the Borough's housing supply, an average of 48.6 dwellings per year.

Table 3: Windfall Completions over the past five years

Year	Gross Dwelling Completions	Net Dwelling Completions	Net Windfall Completions	Net Windfall Completions on non-residential land	
2012/13	239	212	27	19	9%
2011/12	148	132	13	12	9%
2010/11	416	394	118	106	27%
2009/10	188	166	89	73	44%
2008/09	273	251	79	33	13%
Total	1,259	1,155	326	243	21%

- 4.14 It should be noted that Brentwood has not been granted any exemption in the temporary permitted development rights recently introduced for the change of office to residential use without the need for planning permission (introduced 30 May 2013). It is therefore anticipated that a greater level of windfall development will come forward from this source during the three year period set out by the Government for the relaxation of permitted development rights.
- 4.15 Despite no windfall allowance being made because of the number of small sites which are included with permission and identified sites to come forward through the Local Plan, it is very likely that further permissions will be granted on sites as yet unidentified (windfalls). Therefore, taking the above into account the total five year supply is expected to be further increased.

Calculating the Five Year Supply of Housing Land

- 4.16 The five year period is taken as the period beginning 1 April for the forthcoming year at the time of the assessment. The five year period for this assessment is 1 April 2013 to 31 March 2018.

Table 4: The Five Year Housing Supply Land 2013-2018

The Five Year Housing Supply of Land 2013-2018	
	Dwellings
Dwelling sites with permission	344
Dwelling sites with permission subject to Section 106 Agreement	32
Sites proposed to be allocated in the Preferred Options Local Plan 2015 – 2030 – Major Sites	1,189
Sites proposed to be allocated in the Preferred Options Local Plan 2015-2030 - Small sites (9 units and under)	67
Total	1,632

Note: Sites included in the above table are listed in Appendix 1

The Interim Five Year Supply of Housing Land is 1,632 Dwellings

5 How Many Years Deliverable Land?

- 5.1 As set out in Table 4, Brentwood Borough has an overall amount of identifiable and deliverable housing land supply for 1,632 homes over the next five years. That is 178 homes under the calculated five year requirement. This equates to a housing land supply of 5.4 years as set out in Table 5.

Table 5: Summary of five year housing supply – 1 April 2013 to 31 March 2018

Calculated five year requirement	1,810 homes
Annual average requirement	362 homes
Total identifiable five year supply	1,632 homes
Annual average supply	326.4 homes
How many years housing supply?	4.5 years

- 5.2 When the required additional 5% buffer is included within the calculated five year requirement, as necessitated in the NPPF, Brentwood Borough has 269 homes fewer than the calculated five year requirement. This equates to a housing land supply of 4.29 years as set out in Table 6.
- 5.3 In conclusion, the assessment set out in this paper shows that the Borough cannot demonstrate a five year deliverable supply of housing.

Table 6: Summary of five year housing supply with 5% buffer included – 1 April 2013 to 31 March 2018

Calculated five year requirement plus buffer of 5%	1,901 homes
Annual average requirement	380.2 homes
Total identifiable five year supply	1,632 homes
Annual average supply	326.4 homes
How many years housing supply?	4.29 years

Appendix 1: Schedule of Identified Housing Sites (April 2013)

Planning application ref	Type of permission (full, outline, reserved matters, allocation)	Site name/address	Ward	Grid Reference (X/Y)	Site size	Greenfield/Brownfield	Windfall	Total number of dwellings with planning permission /site capacity	Potential losses	Net completions as at 1 April 2012	Total net residual dwellings under construction or not started at 1 April 2012	Residual completions expected in five year period from 1 April 2013	2013/14	2014/15	2015/16	2016/17	2017/18
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Extant Planning Permissions on Allocated Sites

BRW/672/05	Full	William Hunter Way car park site, William Hunter Way, Brentwood	Brentwood North	559335 193839	0.16	B	N	14			14	14					14	
BRW/21/05 plus revisions	Full	Former Warley Hospital, Warley Hill, Warley	Warley	558919 192333	4.05	B	N	230		198	32	32	16	16				
Sub Total:								244	0	198	46	46	16	16	0	14	0	

Extant Planning Permissions on Unallocated Large Sites

BRW/25/10	Full	Land rear of the Grange, 93 Queens Road, Brentwood	Brentwood South	559787 193582	0.35	B	N	12			12	12	12					
12/00408/FUL	Full	Hanover House 78 - 82 High Street	Brentwood South	559333 193603	0.05	B	Y	12			12	12		12				
12/00032/FUL	Full	Coptfold House, New Road, Brentwood CM14 4BP	Brentwood South	559551 193603	0.14	B	Y	18			18	18	18					
BRW/883/07	Full	122-124 Station Road, West Horndon, CM13 3LZ	Herongate, Ingrave & West Horndon	562890 188335	0.15	B	Y	13	2		11	11	11					
BRW/1053/06 (Market Housing element)	Outline	Land rear of Sylvia Avenue/Brindles Close, Hutton, CM13 2HP	Hutton Central	562196 193553	0.84	B	Y	20	1		19	19		10	9			

BRW/605/08 (Market Housing element)	Outline	Willowbrook Primary School, Brookfield Close, Hutton, CM13 2RG	Hutton Central	562584 195126	2.55	B	Y	36			36	36			18	18	
11/01042/FUL	Full	Glanthams House, Hutton Road, Shenfield	Shenfield	560790 194822	0.28	B	Y	14	1		13	13		7	6		
BRW/260/88	Full	Dytchleys, Coxtie Green Road, CM14 5RJ	South Weald	555288 195950	2.61	B	N	11	1		10	10		5	5		
Sub Total:								136	5	0	131	131	41	34	38	18	0

Extant Planning Permissions on Small Sites																	
BRW/1107/07	Full	63-65 High Street, Brentwood, CM14 4RH	Brentwood North	559472 193809	0.09	B	Y	10			10	10	10				
BRW/1134/07	Full	242 Ongar Road, Brentwood, CM15 9DX	Brentwood North	559046 194563	0.03	B	N	2	1		1	1	1				
BRW/802/08	Full	31 St Charles Road, Brentwood, CM14 4TS	Brentwood North	558762 194205	0.09	B	Y	2	1		1	1	1				
BRW/756/09	Full	Rear of 89-93 Park Road, Brentwood, CM14 4TU (SHLAA ref: G153)	Brentwood North	558912 194070	0.07	G	N	4			4	4		4			
BRW/428/10	Full	35 Culyers Yard, High Street, Brentwood, CM14 4RG	Brentwood North	559579 193889	0.04	B	Y	10	1		9	9	5	4			
BRW/652/10	Full	135 High Street, Brentwood, CM14 4RZ	Brentwood North	559178 193685	0.01	B	Y	2			2	2	2				
BRW/768/10	Full	113-115 High Street, Brentwood,	Brentwood North	559264 193725	0.03	B	Y	2			2	2	2				
11/00083	Full	Fairholme, Highland Avenue, Brentwood, CM15 9DD	Brentwood North	559404 194327	0.1	B	N	10	1		9	9		5	4		
12/00180/EXT	Full	73 - 73A High Street	Brentwood North	559419 193806	0.14	B	N	4			4	4				4	
12/00357/FUL	Full	19 - 23 Ongar Road Brentwood, CM15 9AU	Brentwood North	559662 194000	0.01	B	Y	2			2	2			2		
12/00165/FUL	Full	72 - 74 Ongar Rd, Brentwood, CM15 9AX	Brentwood North	559541 194087	0.01	B	Y	1			1	1			1		
BRW/454/04	Full	21 & 23 Eastfield Road, Brentwood, CM14 4HB	Brentwood South	559750 193550	0.04	B	N	4	2		2	2	2				

Draft Brentwood Interim Five Year Housing Supply Assessment 2013 to 2018

BRW/505/08	Full	29 Rose Valley, Brentwood, CM14 4HZ	Brentwood South	559490 193295	0.08	B	Y	9	1		8	8	4	4			
BRW/175/10	Full	Land adj. Strathearn Lodge, Rose Valley, Brentwood, CM14 4HX	Brentwood South	559567 193294	0.05	B	Y	1			1	1	1				
BRW/547/10	Full	31 Queens Road, Brentwood, CM14 4HE	Brentwood South	559426 193405	0.09	B	N	6	1		5	5	5				
11/01140	Full	10 Wingfield Close, Brentwood, CM13 2BT	Brentwood South	561348 193026	0.02	G	Y	1			1	1		1			
BRW/790/10	Full	48-52 Queens Road, Brentwood, CM14 4HD	Brentwood South	559559 193556	0.08	B	Y	10	2		8	8		4	4		
12/01057/FUL	Full	1-3 Crown St, Brentwood.	Brentwood South	559333 193698	0.02	B	Y	2			2	2			2		
12/00841/FUL	Full	24 High Street, Brentwood	Brentwood South	559610 193818	0.02	B	Y	1			1	1		1			
12/00664/FUL	Full	Ld R/o 55 & 57 Rose Valley	Brentwood South	559467 193190	0.02	G	Y	1			1	1		1			
12/00431/FUL	Full	96 Queens Rd, Brentwood, CM14 4EY	Brentwood South	559714 193659	0.04	B	N	4			4	4			4		
11/00545	Full	Land adj. 1 Fairfield Road, Brentwood, CM14 4LS	Brentwood West	559278 193221	0.05	B	Y	9			9	9		5	4		
11/00714	Full	Fern House, 120 High Street, Brentwood, CM14 4AS	Brentwood West	559163 193648	0.01	B	Y	1			1	1	1				
12/00836/REM	Detailed	R I Neck, St Peters Road, Warley	Brentwood West	558911 192896	0.05	B	Y	2			2	2			2		
12/00295/FUL	Full	45 Kings Road, Brentowwd CM14 4DJ	Brentwood West	559221 193507	0.01	B	Y	1			1	1		1			
BRW/518/09	Full	Greenways, School Road, Kelvedon Hatch, CM15 0DH (SHLAA ref: G147)	Brizes & Doddinghurst	557116 198977	0.19	B	Y	4			4	4		4			
11/00750	Full	Manitoba, School Road, Kelvedon Hatch, CM15 0DW	Brizes & Doddinghurst	557573 198976	0.22	B	Y	2			2	2			2		
13/00578/FUL	Outline	The Surgery, Outings Lane, Doddinghurst	Brizes & Doddinghurst	558648 199581	0.07	B	N	2			2	2			2		
12/01093/FUL	Full	R/O 20 Fox Hatch, Kelvedon Hatch	Brizes & Doddinghurst	557412 198544	0.02	B	Y	1			1	1		1			
11/00853	Full	8 Brentwood Road, Brentwood,	Herongate, Ingrave & West Horndon	561776 192433	0.02	G	N	2			2	2	2				

12/00816/OUT	Outline	9 Thorndon Avenue, West Horndon	Herongate, Ingrave & West Horndon	562366 189111	0.34	B	Y	4	1		3	3			3		
BRW/50/10	Full	69 Hanging Hill Lane, Hutton, CM13 2HN	Hutton Central	562239 193697	0.1	B	Y	3	1		2	2	2				
BRW/552/10	Outline	30 Rayleigh Road, Brentwood, CM13 1AD	Hutton Central	561604 195175	0.03	B	N	5			5	5			5		
BRW/69/11	Outline	21 Newmans Drive, Hutton, CM13 2PZ	Hutton Central	562211 194626	0.16	G	N	2	1		1	1			1		
11/00794	Full	12 Park Avenue, Hutton	Hutton Central	562399 194423	0.09	G	Y	1			1	1		1			
12/00239/FUL	Full	134 Hanging Hill Lane, Hutton	Hutton Central	562232 193928	0.11	B	N	2	1		1	1			1		
BRW/653/09	Full	1 Bournebridge Close, Hutton,	Hutton East	563070 194820	0.02	B	Y	1			1	1	1				
BRW/411/10	Full	Land adj. Greenend, Hutton,	Hutton East	563570 194668	0.19	B	Y	1			1	1	1				
BRW/727/10	Full	1 Kelvedon Close, Hutton, CM13 1QS	Hutton East	563192 195002	0.02	G		1			1	1	1				
11/00985/FUL	Full	Unit 3 , Oakleigh Farm, Rayleigh Rd, Hutton, CM13 1SE	Hutton East	564338 195051	0.01	B	Y	1			1	1		1			
BRW/897/08	Full	Land rear of St Ninian, Alexander Lane, Shenfield	Hutton North	561666 195212	0.1	B	Y	2			2	2	2				
BRW/533/10	Full	St Ninian, Alexander Lane, Shenfield, CM13 1AG	Hutton North	561601 195215	0.09	B	N	7	1		6	6		6			
11/00314	Full	28 Arnolds Avenue, Hutton	Hutton North	562308 195982	0.07	G	Y	1			1	1		1			
10/00005/EXT	Full	Rear of Netherton & Three Hedges, Hutton Mount	Hutton South	561293 194549	0.7	B	N	5			5	5		5			
11/00237/FUL	Full	Land adj. 27 Longaford Way, Hutton Mount, CM13 2LT	Hutton South	562025 194469	0.23	B	Y	2			2	2		2			
BRW/616/10 & BRW/8/11	Full	Rossmoyne, Heronway, Hutton, CM13 2LX	Hutton South	561547 194347	0.36	B	N	2	1		1	1	1				
BRW/11/93	Full	Rawdon, Herrington Grove, Hutton	Hutton South	561409 194823	0.28	B	N	2		1	1	1	1				
BRW/829/10	Full	Stocks Bar, High Street, Ingatestone, CM4 9DU	Ingatestone, Fryerning &	565133 199660	0.03	B	Y	6	2		4	4		2	2		

			Mountnessing														
11/00394	Full	Malyons Yard, Roman Road, Ingatestone	Ingatestone, Fryerning	563930 198630	0.01	G	Y	1			1	1			1		
11/00785/OUT	Outline	2 High Street, Ingatestone, CM4 9EE	Ingatestone, Fryerning & Mountnessing	565307 199900	0.05	G	Y	1			1	1				1	
12/00699/FUL	Full	Everlades Avenue Road, Ingatestone, Essex, CM4 9HB	Ingatestone, Fryerning & Mountnessing	564558 199305	0.19	B	N	2	1		1	1				1	
12/00088/FUL	Full	Old Police House, 76 High Street, Ingatestone, CM4 9DW	Ingatestone, Fryerning & Mountnessing	565055 199635	0.01	B	Y	3			3	3				3	
BRW/852/87	Full	Rear of 35 and between 27-35 Crow Green Road	Pilgrims Hatch	558059 195813	0.17	B	N	3		1	2	2	2				
12/00833/EXT	Outline	Mapleton Growers Ltd, Mores Lane, Pilgrims Hatch	Pilgrims Hatch	556710 196523	0.17	G	Y	1			1	1	1				
BRW/246/10	Full	377 Ongar Road, Pilgrims Hatch, Brentwood, CM15 9HZ	Pilgrims Hatch	558515 195081	0.05	B	Y	1			1	1			1		
BRW/288/10	Full	Land adj. 24 Elizabeth Road, Pilgrims Hatch, Brentwood, CM15 9NP	Pilgrims Hatch	559000 195326	0.02	G	Y	1			1	1	1				
11/00148	Full	Land adj. 40 King Georges Road, Pilgrims Hatch	Pilgrims Hatch	558666 195206	0.03	G	Y	1			1	1			1		
12/00870/FUL	Full	60 Danes Way, Pilgrims Hatch	Pilgrims Hatch	558336 195557	0.08	B	Y	2	1		1	1				1	
11/00204	Full	Land at rear of 49 Priests Lane, Shenfield	Shenfield	560574 193613	0.06	G	Y	1			1	1				1	
11/00897	Full	192 Hutton Road, Shenfield, CM15 8NR	Shenfield	561251 195003	0.02	B	Y	1			1	1				1	
BRW/521/92	Full	Putwell Bridge Farm, Brook Street, Brentwood, CM14 5LZ	South Weald	556656 192205	0.06	B	N	1			1	1	1				
12/01141/FUL	Full	8-11 Little Dytchleys Mews, Coxtie Green Road, Pilgrims Hatch	South Weald	555328 195971	0.01	B	Y	4			4	4				4	
12/00735/FUL	Full	97 Coxtie Green Road, Pilgrims Hatch	South Weald	556874 195889	0.09	B	Y	2	1		1	1			1		
BRW/273/08	Full	Lathams Timber Yard, Wrights Lane, Wyatts Green	Tipps Cross	559867 199153	0.62	B	N	1			1	1	1				

11/01055	Full	1 Orchard Piece, Blackmore, CM4 0RX	Tipps Cross	560492 202056	0.04	G	Y	1			1	1		1			
12/00713/FUL	Full	Wenlocks Farm, Wenlocks Lane, Blackmore	Tipps Cross	560006 200911	0.18	B	Y	1			1	1			1		
11/00138	Full	7 Clock Tower, The Galleries, Warley, Brentwood	Warley	558833 192295	0.01	B	N	1			1	1		1			
11/00466	Full	22 Warley Hill, Brentwood, CM14 5HA	Warley	559285 192887	0.01	B	Y	1			1	1		1			
Sub Total:								190	21	2	167	167	51	60	52	4	0

Sites where principle of development is accepted (planning permissions subject to S106, allocated sites in preferred options, development brief accepted)

BRW/1053/06 (Affordable Housing element)	Outline	Land rear of Sylvia Avenue/Brindles Close, Hutton, CM13 2HP	Hutton Central	562196 193553	0.84	B	Y	13			13	13			13		
BRW/605/08 (Affordable Housing element)	Outline	Willowbrook Primary School, Brookfield Close, Hutton, CM13 2RG	Hutton Central	562584 195126	2.55	B	Y	19			19	19			19		
Sub Total:								32	0	0	32	32	0	0	32	0	0

Draft Plan Allocations – Major Sites

		Wates Way Industrial Estate, Ongar Road, Brentwood (003)	Brentwood North	559598 194116	0.96	B	N	128			128	128				64	64
		Land at Hunter House, Western Road, Brentwood (041)	Brentwood North	559203 193756	0.22	B	N	22			22	22					22
		Chatham Way/Crown Street Car Park, Brentwood (040)	Brentwood South	559332 193635	0.33	B	N	26			26	26					26
		Baytree Centre, Brentwood (100)	Brentwood South	559487 193693	1.34	B	N	201			201	201			67	67	67
		Land at Maple Close, Brentwood (133)	Brentwood South	560759 193191	0.17	B	N	14			14	14				14	
		Land north of Highwood Close, Brentwood (001A)	Brentwood West	558590 196648	0.81	B	N	20			20	20				10	10
		Westbury Road Car Park, Westbury Road, Brentwood (039)	Brentwood West	559129 193612	0.27	B	N	22			22	22					22

Draft Brentwood Interim Five Year Housing Supply Assessment 2013 to 2018

		Former Landings Surgery, Outings Lane, Doddinghurst	Brizes & Doddinghurst	558631 199572	0.27	B	N	11			11	11					11	
		West Horndon Industrial Estate, Childerditch Lane, West Horndon (020)	Herongate, Ingrave & West Horndon	561696 188031	6.39	B	N	250			250	160				80	80	
		Horndon Industrial Estate, Station Road, West Horndon (021)	Herongate, Ingrave & West Horndon	562121 188152	9.84	B	N	250			250	160				80	80	
		Essex County Fire Brigade HQ, Rayleigh Road, Brentwood (005)	Hutton Central	562123 195021	1.26	B	N	101			101	101				50	51	
		Land at Brookfield Close, Hutton (131B)	Hutton Central	562526 195021	0.16	B	N	13			13	13				13		
		Land between Tendering Court and Tillingham Bold, Woodland Avenue (007)	Hutton North	562876 195728	0.1	B	N	10			10	10					10	
		Land Adj. Adult Education Centre, Rayleigh Road, Hutton	Hutton North	561963 195183	0.14	B	N	11			11	11					11	
		Land at Bell Mead, Ingatestone (042)	Ingatestone, Fryerning & Mountnessing	565008 199395	0.22	G	N	16			16	16			16			
		Ingatestone Garden Centre, Roman Road, Ingatestone (128)	Ingatestone, Fryerning & Mountnessing	563757 198174	3.25	B	N	130			130	75				38	37	
		Land Rear of 10-20 Orchard Lane, Pilgrims Hatch (011)	Pilgrims Hatch	557745 195887	0.24	B	N	19			19	19					19	
		Sow & Grow Nursery, Ongar Road, Pilgrims Hatch (010)	Pilgrims Hatch	558089 194859	1.2	B	N	48			48	40			20	20		
		Garages adjacent 25 Kings George's Road, Pilgrims Hatch (054)	Pilgrims Hatch	55858 195280	0.12	B	N	10			10	10			10			
		Warley Training Centre, Essex Way, Warley (013B)	Warley	559175 191820	0.66	B	N	53			53	53			26	27		
		Council Depot, The Drive, Warley (081)	Warley	559493 191716	1.71	B	N	137			137	77				58	19	
Sub Total:									1,492	0	0	1,492	1,189	0	0	139	521	529

Draft Plan Allocations - Small Sites (9 units and under)

		Site on corner of High Street / Western Road, Brentwood (Former Napier Arms) (046)	Brentwood West	559141 193675	0.05		N	6			6	6			6		
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	Land between 12-13 Magdalen Gardens, Hutton (049)	Hutton East	563332 195026	0.1		N	8			8	8				8	
	Land rear of 146-148 Hatch Road, Pilgrims Hatch (053)	Pilgrims Hatch	558608 195880	0.18		N	9			9	9					9
	Land at Fielding Way, Hutton (rear of Rayleigh Road shopping parade) (093)	Hutton North	562476 195228	0.12		N	10			10	10			10		
	Hutton Village Dental Practice, 217 Rayleigh Road, Hutton (096)	Hutton East	562876 195320	0.03		N	2			2	2			2		
	Land at Albany Road, Pilgrims Hatch (132A)	Pilgrims Hatch	558915 195428	0.07		N	6			6	6					6
	Land at Albany Road, Pilgrims Hatch (132B)	Pilgrims Hatch	558961 195399	0.08		N	6			6	6					6
	Land at Gloucester Road, Pilgrims Hatch, Brentwood (134)	Pilgrims Hatch	558505 195727	0.1		N	8			8	8					8
	Land at Hutton Drive (rear of Tower House), Hutton (135)	Hutton Central	562459 194948	0.07		N	6			6	6					6
	Land at Church Crescent, Mountnessing (136)	Ingatestone, Fryerning & Mountnessing	563157 197779	0.05		N	4			4	4				4	
	Land at Broomwood Gardens, Pilgrims Hatch (137A)	Pilgrims Hatch	558282 195239	0.03		N	2			2	2				2	
Sub Total:							67	0	0	67	67	0	0	18	14	35

Total:	2,161	26	200	1,935	1,632	108	110	279	571	564
	Total number of dwellings with planning permission /site capacity	Potential losses	Net completions as at 1 April 2012	Total net residual dwellings under construction or not started at 1 April 2012	Residual completions expected in five year period from 1 April 2013	2013/14	2014/15	2015/16	2016/17	2017/18

Appendix 2: Extracts of representations received during the Local Plan 2015-2030 Preferred Options Consultation

Draft Plan Allocations – Major Sites

Representations ²	Site Name and Location	Extract of Rep. made on behalf of owner/agent in relation to phasing	Notes
2442 - JTS Partnership (Mr Nick Davey) [Rep ID 465]	Wates Way Industrial Estate, Ongar Road, Brentwood (003)	<i>As the Council is aware, the Wates Way Industrial Estate is more than half vacant, with the remaining leases due to expire within the next 12/18 months. Accordingly, the Estate will be available for development during the first year (if not the first few months) of the Plan period and any phasing provisions should recognise this.</i>	Source of identification: Discussions with landowners/agents (12/06069/PREAPP, 13/06056/PREAPP) (see Development Team minutes 12.09.12 & 13.05.13)
N/A	Land at Hunter House, Western Road, Brentwood (041)	No Rep. received from owner / agent in relation to site phasing	Source of identification: Discussion with landowners (12/06032/PREAPP)
N/A	Chatham Way/Crown Street Car Park, Brentwood (040)	No Rep. received from owner / agent in relation to site phasing	Source of identification: Previous Urban Capacity Study site
N/A	Baytree Centre, Brentwood (100)	No Rep. received from owner / agent in relation to site phasing	Source of identification: Discussion with landowner (13/06040/PREAPP)
N/A	Land at Maple Close, Brentwood (133)		Site Ownership: Brentwood Borough Council Source of identification: Council asset review (Corporate Plan 2013-2016)
N/A	Land north of Highwood Close, Brentwood (001A)		Site Ownership: Brentwood Borough Council Source of identification: Current housing allocation in Replacement Local Plan (2005), SHLAA (Urban Capacity Study)
N/A	Westbury Road Car Park, Westbury Road, Brentwood (039)	No Rep. received from owner / agent in relation to site phasing	Source of identification: Previous Urban Capacity Study site
N/A	Former Landings Surgery, Outings Lane, Doddinghurst (043)	No Rep. received from owner / agent in relation to site phasing	Source of identification: SHLAA (Urban Capacity Study), planning applications (12/01280/OUT, 13/00008/OUT)

² **Note:** All representations made on the *Brentwood Borough Local Plan 2015-2030 Preferred Options* can be viewed in full on the Council's website via the following link:
<http://www.brentwood.gov.uk/index.php?cid=694>

151 - Barton Wilmore (Mr Justin Kenworthy) [Rep ID 662]	West Horndon Industrial Estate, Childerditch Lane, West Horndon (020)	<i>Site 020 would be available and deliverable in the financial year 2015/2016, therefore the trajectory should be brought forward to 2015/16-2019/20. Suggest the annual construction on site is increased to 64+ dwellings per annum (320 over five years) to reflect comments below regarding density. The Plan suggests approximately 250 dwellings could be constructed on Site 020 (equivalent 39 dwellings per hectare). However, because this site is close to the settlement centre and train station, a greater density could be achieved. The Council should increase the approximate density to a minimum of 320 dwellings (equivalent of 50 dwellings per hectare).</i>	Source of identification: SHLAA (Urban Capacity Study), discussion with developer (13/06008/PREAPP)
2060 - Mc Gough Planning Consultants (Mr Chris McGough) [Rep ID 581]	Horndon Industrial Estate, Station Road, West Horndon (021)	<i>Phasing assumptions for both Hansteen and Threadneedle's sites are shown as contributing 50 dwellings per year from 2017/18 to 2021/22. It is likely Hansteen's estate will become available in lots over the next few years (rather than as whole). Parcels could be available for redevelopment to housing as early as 2015. The assumed rate of development in good housing sites can reach 1.25-1.5 dwellings per month, which could result in 65-70+ houses per year. Clarification sought about how flexible the LPA would be in the event the development sites became available sooner and on the density and rates of development.</i>	Source of identification: Discussion with landowners (12/06173/PREAPP)
N/A	Essex County Fire Brigade HQ, Rayleigh Road, Brentwood (005)	No Rep. received from owner / agent in relation to site phasing	Source of identification: SHLAA (Urban Capacity Study and call for sites)
N/A	Land at Brookfield Close, Hutton (131B)		Site Ownership: Brentwood Borough Council Source of identification: Council asset review (Corporate Plan 2013-2016)
N/A	Land adj. Adult Education Centre, Rayleigh Road, Hutton (006)	No Rep. received from owner / agent in relation to site phasing	Site Ownership: Essex County Council Source of identification: SHLAA (Urban Capacity Study)
N/A	Land between Tendering Court and Tillingham Bold, Woodland Avenue (007)	No Rep. received from owner / agent in relation to site phasing	Source of identification: SHLAA (Urban Capacity Study)
N/A	Land at Bell Mead, Ingatestone (042)		Site Ownership: Brentwood Borough Council Source of identification: Council asset review (Corporate Plan 2013-2016)
2044 - Robinson Escott (Jo Tasker) [Rep ID 1005]	Ingatestone Garden Centre, Roman Road, Ingatestone (128)	<i>The site is available. The site will not continue to be used as a Garden Centre as this use is not viable. The Garden Centre has been running at a loss for the last three years. This is evident by the Company's accounts. The Garden Centre has remained open only as a result of the financial support given by Directors, support which cannot be sustained.</i>	Source of identification: Council asset review (Corporate Plan 2013-2016)
N/A	Land Rear of 10-20 Orchard Lane, Pilgrims Hatch (011)	No Rep. received from owner / agent in relation to site phasing	Source of identification: SHLAA (Urban Capacity Study)
N/A	Sow & Grow Nursery, Ongar Road, Pilgrims Hatch (010)	No Rep. received from owner / agent in relation to site phasing	Source of identification: SHLAA (Call for Sites)

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N/A	Garages adjacent 25 Kings George's Road, Pilgrims Hatch (054)	Site Ownership: Brentwood Borough Council Source of identification: SHLAA (Urban Capacity Study)
N/A	Warley Training Centre, Essex Way, Warley (013B)	Site Ownership: Brentwood Borough Council Source of identification: Council asset review (Corporate Plan 2013-2016)
N/A	Council Depot, The Drive, Warley (081)	Site Ownership: Brentwood Borough Council Source of identification: Council asset review (Corporate Plan 2013-2016)

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2 July 2014

Ordinary Council

Proposals for a Senior Management Restructure

Report of: *David Lawson, Monitoring Officer*

Wards Affected: *None*

This report is: *Public*

1. Executive Summary

- 1.1 This report outlines a proposal for a Senior Management Restructure. The restructure proposals will include the replacement of the current Managing Director (MD) role with that of a Chief Executive (CE) role and the replacement of the Head of Business Transformation role with a Head of Customer Services role.
- 1.2 The support structure for Senior Management will also be reviewed as part of these proposals.
- 1.3 The Council has responded to contact from a Union Representative on behalf of an employee affected by these proposals and negotiations in this regard are on-going. A supplementary report will be presented should these negotiations reach a conclusion that then requires approval by Members.

2. Recommendation(s)

- 2.1 Council agrees to commence a review of the Senior Management structure with a view to replacing the current Managing Director role with a Chief Executive role and the Head of Business Transformation role with a Head of Customer Services, subject to appropriate consultation.**

3. Introduction and Background

- 3.1 The Council has been progressing the New Ways of Working (NWOW) model as agreed by Council in February 2013 as part of the budget setting process.
- 3.2 The main focus of the NWOW project has been reviewing the back office functions and a number of changes have been implemented that have streamlined the functions and provided revenue savings.
- 3.3 Investment in front line customer services has been made by the introduction of a Customer Contact Centre in April 2014. The Council's approach to Contact Centre services will be to handle all customer contact channels such as website, telephony, face to face, post, e-mails, text messaging and social media. These strands will be interwoven, supported by ICT Systems and a professional, trained Customer Services Team.
- 3.4 Over the past few months a number of Management positions have been vacant and recruitment to those posts has been difficult, causing strain on the top tier of management.
- 3.5 There is a need to further improve the services on offer to our residents both from a strategic and operational viewpoint whilst consolidating changes made through the back office review and to build in resilience in the senior management level.

4. Issue, Options and Analysis of Options

- 4.1 The Council is currently structured at its most senior level with a Managing Director (Head of Paid Service) and Director of Strategy and Corporate Services (S151 Officer).
- 4.2 The Managing Director currently line manages 4 Heads of Service who look after front facing customer services as well as line managing the Director of Strategy and Corporate Services.
- 4.3 The Director of Strategy and Corporate Services line manages 2 Heads of Service who are mainly responsible for back office functions and 3 service managers with a back office / front facing split.
- 4.4 Over recent months it has been increasingly difficult to recruit to Head of Service/Management roles in terms of attracting the right calibre of

candidate at the rates of pay the roles are evaluated at compared with the market rates.

- 4.5 This has placed further responsibility on the Managing Director and Director of Strategy and Corporate Services diverting them from more strategic responsibilities, positioning the Council locally and nationally and giving limited scope to challenge and develop front line customer service.
- 4.6 Currently interviews are underway for the role of Head of Planning but there will soon be a vacancy for the Head of Business Transformation.
- 4.7 Whilst staff turnover is an inevitable reality, the organisation needs to build in resilience, particularly at senior levels.
- 4.8 In order to build in resilience and to release capacity to move the organisation forward strategically, it is proposed that the post of Managing Director will be converted to a Chief Executive who will have limited line management responsibility, releasing the post holder to focus on policy and strategy advice for Members, building partnerships with external agencies and enhancing the Council's reputation and position locally and nationally.
- 4.9 In addition it is proposed that the current role of Head of Business Transformation be converted to Head of Customer Services. This will recognise the Council's commitment of delivering modern and effective customer services.
- 4.10 The support structure in place for Senior Management will also be reviewed as part of these proposals.
- 4.11 During the process of developing this policy, the Council has responded to contact from a Union Representative on behalf of an employee affected by these proposals and negotiations in this regard are on-going (this contact was made initially to the incoming Administration). A supplementary report will be presented should these negotiations reach a conclusion that then requires approval by Members

5. Reasons for Recommendation

- 5.1 As outlined above the proposed restructure releases capacity in the role of the Chief Executive to focus on strategically positioning the authority, builds in resilience at senior management level and allows a thorough focus on delivering high quality customer facing services.

6. Consultation

- 6.1 Any restructure will be undertaken under the terms of the Organisational Change Policy which will require full consultation with all affected staff.
- 6.2 Should any recommendations come forward that evaluates the remuneration for the Chief Executive post above £100,000 this will be brought back to Council as outlined in the Pay Policy.

7. References to Corporate Plan

- 7.1 Becoming a Modern Council requires a Senior Management structure that builds resilience and releases capacity for strategic planning.

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 Any costs arising from the proposals (including recruitment costs) will be met from either recruitment lag and/or the Organisational Transformation Reserve.
- 8.2 The post of Managing Director is the only post within the authority with a salary grade above £100,000. In accordance with government guidance and the motion agreed by Full Council in October 2013, any future intention to offer a salary for a new appointment above £100,000 will be at the vote of Full Council.

Legal Implications

Name & Title: David Lawson, Monitoring Officer

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

- 8.3 The restructure will be subject to the Council's policies and will require full consultation.

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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.

Appendix A

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 Chapter 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 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.