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SUPPLEMENTARY AGENDA 2

Dear Councillor

ORDINARY COUNCIL - WEDNESDAY, 22ND JANUARY, 2020

I am now able to enclose, for consideration on Wednesday, 22nd January, 2020 meeting of the Ordinary Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
7.	**Committee Chairs Reports and Members Questions** **(Pages 3 - 26)**
11.	**Appointment of Statutory Officer** **(Pages 27 - 32)**
13.	**Urgent Business** **(Pages 33 - 40)**

Yours sincerely

Jonathan Stephenson
Chief Executive

Encs

20/01/20

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Committee: Ordinary Council	**Date: 22.1.2020**
Subject: Chairs' Reports and Members' Questions	**Wards Affected:** All
Report of: Jean Sharp	**Public**
Report Author/s: Name: Jean Sharp Telephone: 01277 312655 E-mail: jean.sharp@brentwood.gov.uk	**For Information**

In accordance with the Council's Constitution a brief written report by each committee Chair covering their area of responsibility is provided for Members' information at each Ordinary Council meeting.

Any Member may ask a Chair a written or oral question 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 Chairs' reports, written and oral questions and answers will not exceed 60 minutes without leave of the Mayor.

Two written questions were submitted by Cllr Chilvers, as follows:

1. *Last summer, during major building works in Shenfield, wheelchair users were forced to use the main road carriageway to travel as the footpath was completely blocked with no adequate access provided for them.*

   Will the Chair of the Planning Committee confirm that Brentwood Borough Council policy will change by the start of the municipal year 2020/21 to ensure that this inequitable and dangerous situation cannot occur again?

2. *During 2019, it was agreed by the then Leader of the Council that all Brentwood Borough Council buildings would display a sign saying "Assistance Dogs Welcome" (as is the law) and any now redundant signage would be removed. Can the current Leader of the Council confirm this is now in place?*

Two written questions were submitted by Cllr S Cloke, as follows:

1. *For over a decade, council meetings were webcast allowing Brentwood residents to watch live or to catch up later and making us a transparent council in this regard.*

   In 2017 when the council moved out of the Town Hall temporarily, a motion was agreed - unanimously - that audio recordings would fill the void left due to

difficulties arising from being nomadic. The promise was that visual recording would return.

It has not yet returned and initially this was said to be due to staff training requirements. More recently a casework enquiry has informed us that a decision on its return has yet to be made.

Please can the leader confirm when webcasting will return and that audio recording will continue until that time?

2. *Since Brentwood's street lighting was switched off by Essex County Council, our residents have constantly been concerned that night crime has increased. Liberal Democrat councillors have raised the issue but the response has always been that there is no correlation.*

   However, in the consultation response from Essex Police in the agenda for the Licensing sub-Committee on 14/11/2019 the following statement was made:

   "Essex County Council have imposed part night lighting in Brentwood, which operates from midnight six days a week. Although it does currently not affect the high street, it could be a hazard to patrons leaving the area to seek public transport and trains nearby during the dark winter nights."

   Does the chair of licensing (and indeed the chair for that sub-committee) agree that the concerns of our police force - that seem to concur with those of our residents- should be passed to the Police & Crime Commissioner and ECC to inform any future review and that she will ensure this is done?

Appendices to this report

Chairs Reports for:

Appendix A: Audit and Scrutiny Committee
Appendix B: Community and Health Committee
Appendix C: Environment, Enforcement and housing Committee
Appendix D: Planning and Licensing Committee
Appendix E: Policy, Resources and Economic Development Committee

Committee(s): Ordinary Council	**Date:** 22nd January 2020
Subject: Chairs Report for Audit and Scrutiny **Committee Chair:** Cllr Charles Nolan	**Wards Affected:** All
Report of: Jacqueline Van Mellearts, Director of Corporate Resources	**Public**
Report Author: Name: Jacqueline Van Mellearts, Director of Corporate Resources Telephone: 01277 312500 E-mail: Jacqueline.vanmellearts@brentwood.gov.uk	**For Information**

There has been one Audit and Scrutiny Committee since the last Ordinary Council.

External Audit Update

The Draft unaudited Statement of Accounts was presented to Committee on 29th July 2019. It was explained that the External Auditors Ernst & Young LLP, would not be able to start their audit by their target deadline of 31st July 2019.

Early August, Director of Corporate Resources and the Associate Partner of Ernst & Young LLP were in discussions regarding the resources of the Audit and it was agreed that the audit would start on 1st October for approximately 3 weeks.

The Council has currently published, by its deadline of 31st July, an unaudited Statement of Accounts, along with a notice explaining the delay of the audit. The Council will publish the audit opinion, when it is practically able to do so, to meet legislation requirements, after receiving the auditor's final findings from the audit.

Public Sector Audit Appointments (PSAA) figures show that 40% of audit opinions have missed the target date of 31 July. Officers wish to write to the PSAA to express our concerns regarding the Council's position with the 2018/19 Audit. Including the delay of the audit for Brentwood, the impact on resources it will have and any potential impact on future years audits.

Mr Neil Harris was present at the meeting and summarised the report. Mr Harris was confident that the audit will be completed in time for the next Audit and Scrutiny Committee in January and would be updating the Director of Corporate Resources on a regular basis. Members received an update in January from the Director of Corporate Resources regarding the Audit timetable and confirming the Audit fieldwork was now complete. The Audit Results Report has now been received from External Audit which will be presented to members at the next Audit and Scrutiny Committee

Internal Audit Progress Report

One report have been presented by BDO our Internal Auditors since the last Ordinary Council and they were intended to inform the Audit and Scrutiny Committee of the progress made against the approved internal audit plan for 2018/19 and 2019/20, which was approved by the Committee in March 2018 and March 2019 respectively.

The following reports for 2018/19 had been finalised and a summary of the findings were included in the progress report, which completed the 2018/19 programme.

- Workforce Strategy and Organisational Structure (2018/19). (Substantial/Moderate)
- Housing Department Audit 2018/19 N/A

The following reports for 2019/20 had been finalised and a summary of the findings were included in the progress report:

- Human Resources Recruitment (Substantial/Substantial)
- Trade Waste (Moderate/Substantial)
- Food Safety (Substantial/Moderate)

The following report had been issued in draft and was awaiting management comment. This has since been finalised and will be reported at the next meeting.

- Housing Benefits

Work was underway on the Leisure Services report. This has since been finalised and will be reported at the next meeting.

Internal Audit were also in the process of arranging risk management training and counter fraud awareness work. The report also updated members on minor timing changes of the 2019/20 Plan.

A summary of outstanding recommendations from previous audits as at 26 September 2019 were presented to the Committee. Of the total 109 recommendations covering years 2016/17 to 2019/20, 93 were due to be implemented and 67 (61%) had been completed and 20 (17%) were in progress and 3 (4%) are categorised as overdue.

Senior Managers and Officers have since spent considerable time to review the outstanding recommendations alongside Internal Audit and the revised position is due to be reported at the next Committee.

Risk Management Update

Members were updated on the status of the Council’s Strategic Risk Register and High Operational Risks.

Two risks on the Strategic Risk Register had been decreased all other risk scores had remained the same. One risk had increased, and one risk had decreased of the high level Operational Risks, other risk scores had remained the same.

An EU Exit risk assessment had been carried out by Senior management and was reported to the Committee.

Members raised concerns over the lateness of the report and asked that it brought back to the next meeting. As this is a standing item on the Agenda it would be brought back to the next meeting.

Performance Indicators and Formal Complaints

The Committee reviewed the working groups report on the Quarter 1 data.

A working group took place on the 4th December to discuss Quarter 2's data. A report will be presented at the next Audit and Scrutiny Committee on 28th January 2020.

Scrutiny Work Programme 2019/20

The Constitution requires that the Audit & Scrutiny Committee agrees its Scrutiny work programme at each meeting of the Committee.

The following items continued to be reported to the committee as part of its Scrutiny Work Programme.

- Local Development Plan
- Performance Indicators and Formal Complaints
- Community Safety Partnership

At the start of the municipal year a request form is circulated to members if they wish to add anything to the work programme.

No requests have been received and nothing further has been added to the work programme.

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Committee(s): Ordinary Council	**Date:** 22nd January 2020
Subject: Chairs report for Community and Health Committee **Committee Chair:** Cllr Cliff Poppy	**Wards Affected:** All
Report of: Kim Anderson, Partnership, Leisure and Funding Manager	**Public**
Report Author: Name: Kim Anderson, Partnership, Leisure and Funding Manager Telephone: 01277 312500 E-mail: kim.anderson@brentwood.gov.uk	**For Information**

Larkins Playing Fields
The agreement with Brentwood Youth Football Association has been agreed. Plans for the car park are currently being worked up and a planning application is due to be submitted in April 2020

Warley Playing Fields
Plans for the proposed new car park are being worked up and a planning application is due to be submitted in April 2020.

Play Area Strategy
HAGs have been appointed as the successful tenderer for the installation of the Council's Play areas as part of the delivery of the Play Area Strategy. The Council has also worked with Short Breaks at Essex County Council as part of the evaluation of the concepts presented for both King George's Playing Fields and River Road Play areas to ensure that they are fully inclusive as much as possible. Works are expected to start in the New Year and due to be completed by Spring 2020. Concept designs for Hutton Recreation will also be developed in the New Year.

Football Hub Development
4Global has been appointed as the successful tenderer for the Football Feasibility works for the Brentwood Centre site. Initial meetings have been had with the consultants, the Council, Essex Football Association and the Football Foundation. Consultation will also take in the next couple of months with a number of Brentwood football clubs to identify their desired usage of the facility. A meeting with the new owners of Brentwood Town Football Club Limited has also taken place to ascertain their future ambition and plans for the Club and how the Football Hub can help to facilitate these. A report is due to come back to the March Community and Health Committee identifying the preferred options for the hub.

King George's Playing Fields
The planning application for the new proposals for the King George's Playing Fields facilities was considered at the 30 January 2020 Planning Committee.

Brentwood Sports Awards
The Annual Brentwood Sports Awards took place in November and any winners were also shortlisted for the Active Essex Sports Awards which took place on 4 December in Chelmsford. The Inclusive Communities Award was awarded to Chat 1st Youth which are based at the Brentwood Centre.

Health and Wellbeing Board
Kimberley White and been appointed as the new Corporate Wellbeing Officer while Jo Cory is on maternity leave.

Dance and Dine Project
This new partnership project is targeted at the Council's sheltered accommodation to provide some free dancing and an optional Fish and Chip lunch. Currently residents of Victoria Court, Chichester House and Juniper House have attended the sessions and the numbers (currently around 15) are steadily growing. It also provides an opportunity for more community engagement between the sheltered schemes.

New community engagement trailer
A community engagement programme utilising the trailer is currently being developed with internal and external partners for a full rollout in 2020.

Lighting Up Brentwood
This year's event took place on Saturday 30 November and despite the cold was great success. The event was supported by a number of community and voluntary organisations, and also provided a platform for local schools and individuals to provide live entertainment throughout the day. Despite his best efforts, the Grinch couldn't stop the Mayor who was ably assisted by the winners of the Mayors Christmas Card and Poem Competition to switch on the festive lights.

Shenfield Christmas Fayre
This year's event took place on Sunday 8 December which is fully supported by Brentwood Business Partnership. This year a Gaming Bus provided entertainment for the teenagers and Barclay Bank provided the venue for this year's Santa's Grotto. Local food and drink were provided throughout the day and there were a number of local schools providing live music to local residents.

Curtis Mill Deer Survey
A survey of the deer population in the Curtis Mill Green area was agreed at the 17 September Community and Health Committee, due to an increase in road traffic accidents, poaching and crop damage, as a result of the perceived increase in deer population.
The survey to be undertaken will be contracted out to a specialist organisation. The final report will detail the optimal numbers that the area can hold with regard to the population health and biodiversity of the area. It will also determine the necessary control of the population.
The Council are currently following the procurement process for appointing a suitable specialist organisation. Initially the response to our specification has been limited and the Council are now in the process of seeking quotations from

alternative organisations. The appointment of the contractor will be through delegated authority to the Director of Corporate Resources, in consultation with the Chair and Vice Chair. The information received will be reported back to a future committee on the optimal numbers that the area can hold with regard to the population health and the biodiversity of the area.

Brentwood Community Fund

A total of 39 applications to the Community Fund were received requesting a total of £106,403.25. The fund which had a pot of £36,300 supports local initiatives which improve the quality of life for people living on the local area. At the 6 January 2020 Community and Health Committee, 14 projects were awarded funding for local projects totalling £36,300.

Asset of Community Value – Blue Badge Car Park William Hunter Way

At the 6 January 2020 Community and Health Committee members agreed to relist the Blue Badge Car park in William Hunter Way as an Asset of Community Value. Members had originally agreed to list the Blue Badge Car Park at the 20 November 2014 Community Committee. That listing was valid for 5 years and expired in November 2019. Brentwood Access Group re-submitted their nomination in November 2019 to re-list the Blue Badge Holder Car Park in William Hunter Way as an Asset of Community Value.

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Committee(s): Ordinary Council	**Date:** 22nd January 2020
Subject: Chairs Report for Environment, Housing and Enforcement Committee **Committee Chair:** Cllr Chris Hossack	**Wards Affected:** All
Report of: Dan Cannon - Community Safety Manager Tracey Lilley - Director of Housing and Enforcement Greg Campbell - Director of Operations	**Public**
Report Author: Name: Dan Cannon, Community Safety Manager Telephone: 01277 312692 E-mail: daniel.cannon@brentwood.gov.uk Name: Tracey Lilley, Director of Housing and Enforcement Telephone: 01277 312644 E-mail: tracey.lilley@brentwood.gov.uk Name: Greg Campbell, Director of Operations Telephone: 01277 312738 E-mail: greg.campbell@brentwood.gov.uk	**For Information**

Environment

Update on the School Poster Campaign
In order to encourage environmental awareness, schools in the borough have been contacted offering educational visits and to invite the pupils of year five of the primary schools to submit an entry to a 'litter prevention' poster competition. So far five schools are scheduled to be visited.

The winning design will be chosen by the Mayor and printed and displayed around the Borough in Spring 2020

Electric Vehicle Chargers – Procurement Update
A procurement exercise for the provision Electric Chargers as a pilot scheme at the Town Hall Brentwood is now closed. It is envisaged that all being well the contract can be confirmed during February and a firmed up implementation date agreed which we hope to be sometime in March 2020

Great British Spring Clean 2020
The Great British Spring Clean 2020 will be taking place between March 22nd and April 13th 2020 which Brentwood have signed up to. We will combine this spring clean with our 'Spruce up for Spring' where we target the three high streets in the borough to improve their appearance for the forthcoming year.

In order to make the most of the Great British Spring Clean 2020 we will be contacting schools, parish Council's and voluntary groups to see if they wish to undertake their own spring clean and we will be providing appropriate litter picking equipment to assist.

A full agenda of events is being drawn together.

Community Safety & Corporate Enforcement Update

ASB issues – ASB has continued to decrease from a community perspective. There has been some excellent work by the CSP and Essex Police to deter anti-social behaviour in our green areas and dedicated operations to deal with this as well as drug smoking in public places. The drug smoking in Coptfold Road Car Park has decreased after a small spike of incidents were reported by CCTV. Enforcement and Essex Police have visited the car park and have given warnings to anyone caught. The only ASB remains a priority for the team despite some positive results during the reporting period.

ASB Engagement and Enforcement Week – The team arranged out of hours visits to hotspot areas across Brentwood. This involved visiting areas where drug use is prominent and where young people congregate anti socially. We also door knocked in blocks where reports were high. This proved successful and intelligence gained for both Community Safety and Essex Police.

Engagement Days – Throughout the year the Community Safety Partnership alongside Neighbourhood Watch and Corporate Enforcement engage with the public. The engagement days revolve around a particular topic such as fire safety, fraud, senior safety, Essex Community Message System and more. The CSP and NHW have a stall in the libraries, Baytree Centre, High Streets (Brentwood, Shenfield and Ingatestone) and are sometimes accompanied by other agencies, such as Essex Police, Essex Fire and Rescue. All agencies provide a variety of safety advice to the public as well as answer questions in the last 12 months a total of 76 engagement days have taken place.

School Projects – Several school projects will be available again this year covering topics such as knife crime, gangs, sexual exploitation, drugs and more. Some of the school's projects will be joint funded with Essex County Councils Youth Service. Below are some of the projects going into schools from September. More will become available throughout the financial year.

- **The Two Johns –** The Two Johns are well known for delivering bespoke training sessions within schools and other organisations that cover all areas of Child Sexual Exploitation. The Two Johns will be visiting year 7s in schools.

- **Power of Love –** The Power of Love is a production based on real-life stories in raising awareness around healthy relationships, domestic abuse, safe sex and more. We currently have 3 out of 4 schools booked in for March.

- **Drugs Talks** – Drugs talks for students, teachers and professionals will start taking place as well. The individual delivering is an ex user and dealer with a great insight to the harms of drugs through health, gangs, and other means.

- **NooYu** – NooYu is a 10 week-long course that focuses on tackling youth violence and criminal exploitation by using boxing and classroom-based activities. Each session is based around a different topic and involves group discussion followed by physical activity such as boxing drills, technical moves and pad work. At the end of the 10 weeks all of the individuals will receive a GB Preliminary Level Boxing Award - Asdan Accreditation. We are looking at funding 2 groups.

TruCam
The fourth officer completed the TruCam training which enables the team to use one of Essex Polices speedguns to detect speeders. The first outing recorded 18 speed offences in the borough. Further dates will be planned throughout the year.

Speedwatch
Community Speedwatch has continued to grow. Over 10 new people have been trained and 4 new sites have been assessed. The Community Speedwatch Group took part in Project EDWARD (European Day Without a Road Death).

Police Operations
The team have supported Essex Police on multiple operations including drug raids and high visibility operations. On Saturday 14th an operation to tackle drugs in the NTE took place, supported by Enforcement, SEPP, Licensing and Council CEOs.

Dedicate Patrols
Alongside the regular patrols by the Enforcement Team a total of 166 dedicated patrols have been undertaken in the last 12 months. The team have supported SEPP during evening patrols tackling parking in the Town Centre and daytime patrols in other key locations including Railway Square, Doddinghurst and Pilgrims Hatch. This has resulted in over 300 Penalty Charge Notices (PCNs) being issued.

Another key part of our role is to be visible in order to reduce potential incidents but also reassure communities. Patrols undertake for the reporting period include those on foot and in our dedicated enforcement vehicle.

Housing

Foundations for the Future
Following the appointment of the new Interim Director of Enforcement & Housing, the Housing, Foundations for the future review is in progress. This operational review is focussing on two key areas of the service which primarily are Sheltered Housing and

Estate Management. This review includes improving communication and ensuring internal audit recommendations are implemented.

It is recognised there is much to do, and a comprehensive project plan has been produced to ensure progress against actions are clearly documented and audited.

Re-development

Members previously agreed that Officers should identify the potential redevelopment of Housing Revenue Account (HRA) land (including under-used garage sites) that provide an immediate opportunity for new affordable housing. The Strategic Housing Development Programme ('SHDP') has been created to forward the implementation of this task, both in the short and long-term.

The Strategic Housing Team are considering various options to ensure the sustainable long-term delivery of affordable housing and the option of creating a Housing Company.

Currently, we have a number of individual projects underway;

1. **Barnston Way** – Construction of 3 x Townhouses – The tender to appoint a contractor is currently being progressed to potentially start on site for July 2020.
2. **Brookfield Close** – A feasibility study is currently being prepared for the re-development of the garage site and vacant bungalows for planning submission
3. **Sir Francis Way garage site** – An initial feasibility study for re-development of the site is being prepared.
4. **Ingleton House** - An initial feasibility study for re-development of the site is being prepared.
5. **Railway Square** - An initial feasibility study for re-development of the site is being prepared.
6. **Lime Avenue Garage Site** - An initial feasibility study for re-development of the site is being prepared.
7. **Danes Way Garage Sites** - An initial feasibility study for re-development of the site is being prepared.
8. **Willingale Close Garage site** - An initial feasibility study for re-development of the site is being prepared.

In addition, we are currently undertaking a wider piece of work for potential regeneration of Pilgrims Hatch estate around Harewood Road, Elizabeth House and Albany Road garage site and surrounding areas to achieve our aims and objectives to deliver wider neighbourhood renewal including Council built Affordable Housing, Public Realm, access and wayfinding improvements, safer sustainable

Housing Audits
As part of ongoing service improvement two Audits were conducted in 2017/18, particularly concerning Repairs and Maintenance. The Audits had a combined total of 74 recommendations. 100% of recommendations from the first report have now been completed and achieved. All high-risk recommendations have been completed, with 90% of the second Audit requirements having been satisfied. The outstanding recommendations are targeted for completion within the next quarter.

Homelessness & Rough Sleeping Strategy
The draft Strategy is being presented to the Environment, Enforcement & Housing Committee for approval on the 14th January 2019.

The current strategic document "*Homeless Prevention Strategy 2017 - 2020*" is due to expire at the end of the year. To forward the aims of the Service and Council a new document is required to outline in strategic terms proposed service provision.

The Homelessness & Rough Sleeping Strategy 2020-2025 ('the Strategy') will set out the approach to dealing with both homelessness and rough sleeping.

The core elements of the new strategy recognise current housing needs and requirements, reflected against current and future challenges and demands.

Subject to Committee approval the draft Strategy will be put to an online public consultation for residents and partner agencies. The consultation will allow for a final version of the Strategy to be completed for ratification at the next Committee.

Placement Policy
The policy is being presented to the Environment, Enforcement & Housing Committee for approval on the 14th January 2019. It is a non-statutory policy designed to provide transparency of service provision relating to placement of homeless applicants out-of-Borough (in emergency accommodation if there is no immediately available stock within the Borough) and the making of offers of permanent accommodation within the private rented sector.

Axis
The Axis Contract has progressed well since the co-location of both parties in September. There was a backlog of void refurbishments which the teams worked hard to rectify and as of the 3rd January all the void legacy properties have been returned and the contract targets for void turnaround are now in line with KPI's.

Several larger projects have been implemented ranging from Fire Safety Works, Boiler Replacement and Boosted Water set alongside some smaller planned works programmes for kitchens, bathrooms, domestic boilers and car park lining.

Procedures for complaint management have been reviewed and updated and a large number of works in progress have been completed and closed in recent months.

Overall the contract has vastly improved and developed through full partnership working and all KPI's continue to be monitored and reviewed where necessary on a weekly and monthly basis.

A Member briefing was issued in November providing an update on the contract from the Council's and Axis perspective. In future there will be a monthly Axis Management Pack which will be issued to Members so that they are kept informed of progress and performance.

Temporary accommodation (Homelessness)
We have seen a reduction in the number of temporary accommodation households due to the hard work of the Housing Options Team. We have started the New Year with 59 households in temporary accommodation in comparison to 69 in the previous year. We have several households currently awaiting move on which we predict will reduce the use of accommodation further in the coming months. The two main causes for homelessness are parental ejections and applicants fleeing domestic abuse.

Arrears
We are still seeing increases in the total arrears despite scrutiny of all rent accounts on a fortnightly basis. During the festive period, officers completed an audit of all accounts in arrears and prioritised them based on highest figure first. This highlighted that the officers could work more efficiently if the reporting system was slightly amended to reflect customer payment dates. This would mean we do not have to heavily rely on system recommendations but can instead be proactive in rent collection at the time of rent due rather than 2 weeks later.

As this is a new way of working, we are yet to see the progress, however, officers are confident that it will allow them to focus on the correct accounts at the most appropriate time.

The impact of Universal Credit continues to be an issue. At the beginning of the financial year there were £142,426 arrears due to Universal Credit claims and this debt is currently responsible for £248,560 of the entire arrears.

In addition to the more effective ways of working, we have also trained an additional officer to attend Court and have a dedicated administrator to complete any relevant paperwork which assists the Housing Officers to allow for more account processing time.

Officers will also be undertaking out of hours visits and also working alongside the Council's enforcement officers.

Communal Area Management Plan
Following the implementation of the Council's Fire Safety Policy in 2018 a Communal Area Management Procedure ('CAMP') was rolled out last year in the majority of General Needs accommodations which have relevant communal areas. The purpose of CAMP is to ensure communal areas are free from obstructions so as to protect and promote the safety of all in the event of an emergency, particularly residents and the Fire Service. Verbal updates have been provided at previous Housing Committees in relation to the implementation of CAMP within General Needs stock.

Having successfully achieved the implementation of CAMP within General Needs stock Housing Services will be extending this procedure to Sheltered Housing schemes on a rolling programme. The implementation date will be from February 2020 onwards, with resident notification and engagement being a key part of this process.

The CAMP (Sheltered) procedure has been developed in line with legal requirements, policy and existing procedures. It has been developed in consultation with the Fire Service and with the Council's independent Fire Safety consultant. The CAMP procedure considers the need to balance fire safety with minimal interference to resident's reasonable enjoyment of their homes.

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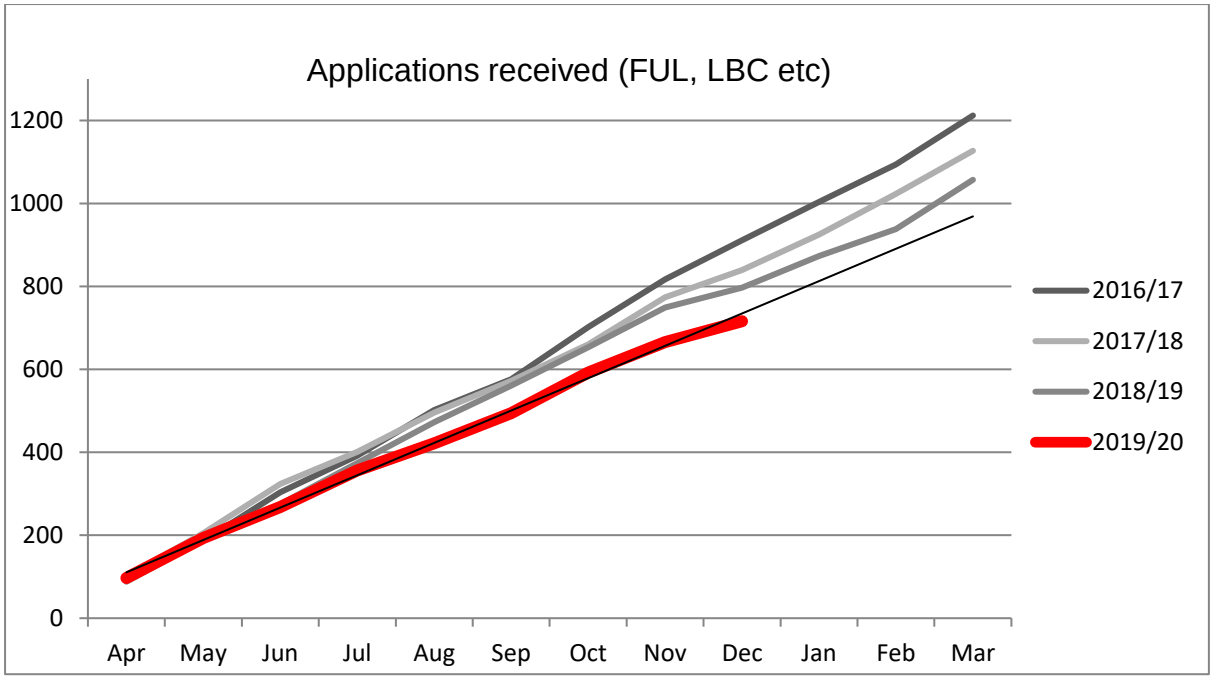
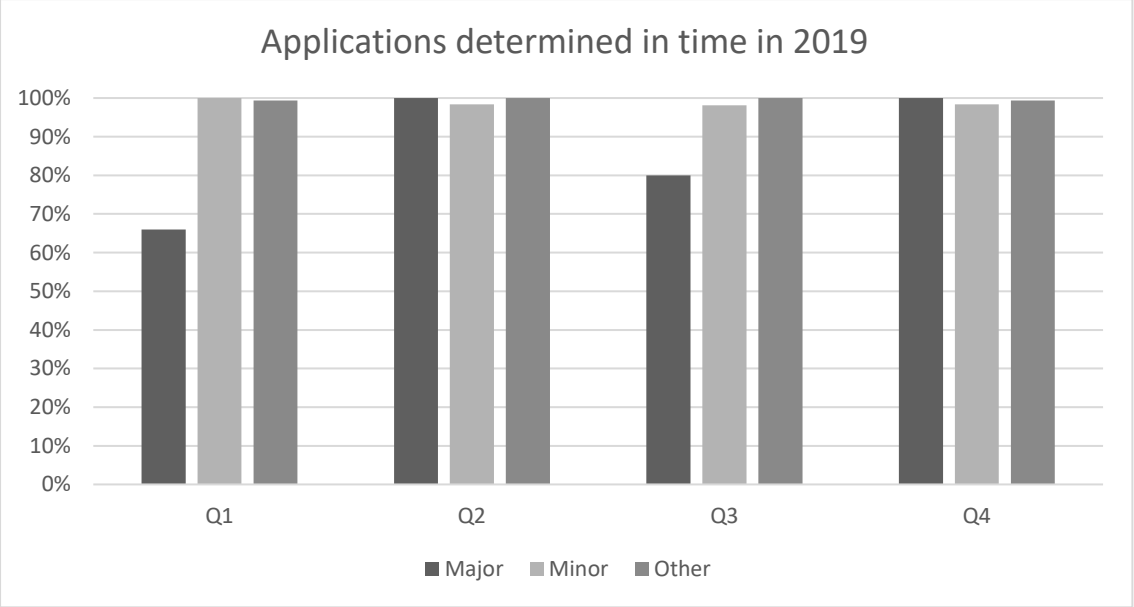
Committee(s): Ordinary Council	**Date:** 22 January 2020
Subject: Chairs report for Planning and Licensing Committee **Committee Chair:** Cllr Olivia Sanders	**Wards Affected:** All
Report of: Caroline McCaffrey – Development Management Team Leader (Planning) Phil Drane – Director of Strategic Planning Paul Adams – Principal Licensing Officer	**Public**
Report Author: Name: Caroline McCaffrey - Development Management Team Leader (Planning) Telephone: 01277 312500 E-mail: caroline.mccaffrey@brentwood.gov.uk Name: Phil Drane, Director of Strategic Planning Telephone: 01277 312500 E-mail: philip.drane@brentwood.gov.uk Name: Paul Adams - Principal Licensing Officer Telephone: 01277 312500 E-mail: paul.adams@brentwood.gov.uk	**For Information**

Development Management

The reduction in the total number of all applications (including conditions discharge etc) received between April and December has reduced slightly to 14% less than the same time last year and the reduction in the narrower measure of applications (FUL, LBC etc) has dropped slightly to 10% down on the same period last year (see chart below).



The percentage of planning applications decided within time remains at around the highest levels recorded for the department (see chart below). This performance remains close to the highest figures achieved across the country.



As well as monitoring the speed of determination applications, the Secretary of State also operates a 'quality' assessment of decisions – effectively an appeal decision failure rate. The rate of 'lost' appeals remains very low and comfortably below national limits – for both Major and non Major developments. Officers continue to focus on ensuring this is the case as those planning authorities that exceed the maximum rates risk losing control over determining future applications and possible

intervention by the Secretary of State to raise performance. There is no danger of that occurring in Brentwood although this requires ongoing vigilance. Overall about four out of five appeals since April have been dismissed.

There are an increasing number of larger developments coming forward as pre application discussions and applications with more to come in relation to the emerging local development plan. This is partly the reason that planning income is above target, though pre app fees and charges are being reviewed with regard to the level of resources appropriate for the complexity of proposals coming forward.

The Development Management team recently promoted two planning assistants to planning officer posts following a competitive recruitment process. These internal candidates were particularly impressive against the external candidates.

Planning Policy

The Local Development Plan is progressing towards submission later this month, further details are provided under the Chairs report for Policy, Resources and Economic Development Committee.

Planning & Licensing Committee approved consultation on the Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS), proposed to eventually be adopted as a Supplementary Planning Document by the local authorities involved. A small area of Brentwood Borough is affected (North of Ingatestone). The work aims to deliver the mitigation necessary to avoid significant adverse effects from 'in-combination' impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effects, i.e. people visiting the coast. Consultation is underway and ends on 21 February 2020.

The Committee also approved responses to two consultations recently - the latest proposals from Highways England at M25 junction 28; and the Castle Point Local Plan (Regulation 19).

Licensing

The Licensing sub committees have been busy with both applications under the Licensing Act 2003 and applications and disciplinary matters relating to taxi drivers and operators. The appeal in relation to the revocation of the licence at a restaurant due to the employment of illegal workers has been concluded with the courts upholding the decision to revoke the licence.

We are still awaiting the revised guidance on taxi licensing following government consultation, which will feed down into a review of local policy once it is received.

The refusal of Uber’s London Operators licence is being closely monitored and will be considered again by the committee where necessary.

Committee(s): Ordinary Council	**Date:** 22nd January 2020
Subject: Chairs report for Policy, Resources and Economic Development Committee **Committee Chair:** Cllr James Tumbridge	**Wards Affected:** All
Report of: Cllr Tumbridge	**Public** **FOR INFORMATION**

The full activity of the Committee can be seen from the minutes of its meetings of September 11th, November 27th, 2019, and January 8th 2020. This report highlights two parts of that work:

Economic Development, Business Support

Almost 400 delegates attended the 2019 Brentwood Business Showcase on Thursday 31 October at the Brentwood School. The event included 13 keynote speakers, 3 business workshops, 58 exhibitors, networking opportunities, a Brentwood Chamber zone and a drinks reception hosted by Morgan Sindall Investments. The Showcase made a profit of £1,000, in part due to revenue generated by sponsorship from 10 businesses. Next year's Brentwood Business Showcase will be brought forward to July 2020.

47 businesses attended business support workshops hosted by Brentwood Borough Council between July and November 2019, including 'Podcasting and Video for Business', delivered by Carmel Jane Talks Business and HNE Media; 'Brentwood Business Showcase exhibitor masterclass', delivered by PDT Sales Consultancy; and 'Make 2020 Your Best Year Yet', delivered by Pro-actions Business Support and Coaching.

Strategic Planning

The Local Development Plan is now progressing towards Submission for the Examination-in-Public process. Following consideration of comments made in response to the Pre-Submission Local Plan consultation in early 2019, the Policy, Resources and Economic Development Committee noted significant concern expressed by residents regarding development on sites in Blackmore and Shenfield. Taking account of this, an Addendum of Focussed Changes was published for consultation. These changes included the reduction in new homes in Blackmore and Shenfield by 70 and replacing these by increasing the minimum number of new homes to be delivered in the plan period at Dunton Hills Garden Village. It also ensured sufficient access points on sites off Priests Lane will be part of the proposal. The Addendum of Focussed Changes will be submitted as part of the Local Plan for a Planning Inspector to consider. Submission is expected by the end of January 2020 with the hearing sessions of the examination likely taking place later this year.

The Brentwood Town Centre Design Guide was adopted as a Supplementary Planning Document (SPD) by the Policy, Resources and Economic Development Committee in December 2019. This is an important step in ensuring the quality of development proposals is improved in and around the Town Centre. The document

will be an important tool for the Council to advise and engage with those proposing development before plans are finalised.

Committee(s): Ordinary Council	**Date:** 22nd January 2020
Subject: Appointment of Statutory Officer	**Wards Affected:** All
Report of: Jonathan Stephenson, Chief Executive	**Public**
Report Author/s: Name: Jonathan Stephenson; Chief Executive Telephone: 01277 312500 E-mail: jonathan.stephenson@brentwood.gov.uk	**For Decision**

Summary

At the Extraordinary Council on 18 September 2019, Min 202 refers, it was agreed to proceed with the recruitment for the role of Head of Legal Services and Monitoring Officer (Director of Law & Governance) in accordance with statutory requirements.

Following this the Council engaged the services of a specialised local authority employment company to undertake the recruitment of a Head of Legal Services and Monitoring Officer (Director of Law & Governance).

The recruitment process included the candidates undertaking technical interviews on the 5th November with a specialised local authority employment company and another local authority Monitoring Officer.

The candidates were also interviewed by the Councils Staff Appointments Committee on the 19th November 2019. The Staff Appointments Committee consisted of Cllrs Aspinell, G Barrett, Mrs Hones, Fryd, Hossack, Naylor, Poppy and Tumbridge.

Following these interviews, the Staff Appointments Committee have made the recommendation as set out in 2.1 of this report.

In addition, following the September meeting, the appointed Interim Head of Legal Services and Monitoring Officer, Paula Harvey, left the Council on the 13th December 2019.

As the Monitoring Officer role was vacant, the Chief Executive appointed Steve Summers as the Council's Monitoring Officer on an interim arrangement with effect from the 12th December 2019.

Pending the arrival of the permanent Director of Law & Governance and Monitoring Officer, it is recommended that Steve Summers acts as the statutory position of Monitoring Officer.

The new Senior Management structure is set out as Appendix A.

Members are asked to:

R1. Upon the recommendation of the Staff Appointments Committee, it is recommended to approve the appointment of Amanda Julian as Director of Law & Governance and Monitoring Officer with effect from the 2nd March 2020.

R2. Confirm the appointment of Steve Summers as Interim Monitoring Officer with effect from the 12th December 2019 until the arrival of the permanent Director of Law & Governance and Monitoring Officer as above.

Main Report

1. Introduction and Background

1.1 At the Extraordinary Council on 18 September 2019 it was agreed to proceed with the recruitment of a Head of Legal Services and Monitoring Officer (Director of Law & Governance) in accordance with statutory requirements.

2. Issue, Options and Analysis of Options

2.1 Following approval at the September Extraordinary Council an external recruitment process was carried out and Amanda Julian is recommended by the Staff Appointments Committee as the successful candidate for the position.

2.2 It is recommended that Staff Appointment Committee agree to recommend that full Council approve the appointment of Amanda Julian as Director of Law & Governance and Monitoring Officer in accordance with the Council's Constitution.

2.3 Since the September Council, the appointed Interim Head of Legal Services and Monitoring Officer, Paula Harvey, left the Council on the 13th December 2019.

2.4 Pending the arrival of the permanent Director of Law & Governance and Monitoring Officer, it is recommended that Steve Summers acts as the statutory position of Monitoring Officer.

2.5 The Monitoring Officer may appoint such deputies as necessary for the conduct of the duties provided by the Acts.

3. Reasons for Recommendation

3.1 The Council is required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as its Monitoring Officer, to discharge statutory responsibilities relating to the Council's Constitution and arrangements for effective governance. The appointment must be approved by full Council following a recommendation by the Staff Appointments Committee.

4. Consultation

4.1 Group Leaders have been consulted on behalf of all Members.

5. References to Corporate Plan

5.1 The Vision for Brentwood requires suitably qualified Statutory Chief Officers.

6. Implications

Financial Implications
Name & Title: Jacqueline Van Mellaerts, Director of Corporate Resources
Tel & Email 01277 312500 /
jacqueline.vanmellaerts@brentwood.gov.uk

6.1 The Council engaged the services of a specialised local authority employment company to undertake the recruitment of the statutory post. The one off competitive cost had not been included within the base budget. It is forecasted that approximately £10k will be funded from the Organisational Transformation Reserve.

6.2 The new Senior Management structure is a realignment of what was proposed on 26th June 2019. The direct appointment for Director Law & Governance and Monitoring Officer is not expected to cause any further financial implications other than any future awards or incremental drift which will be included within the Medium Term Financial Plan as part of budget setting process.

Legal Implications
Name & Title: Steve Summers, Chief Operating Officer & Interim Monitoring Officer
Tel & Email 01277 312500 / steve.summers@brentwood.gov.uk

6.3 The recommendations within this report are lawful and within the Council's powers and duties. The Council has statutory obligations within an existing legal framework for the appointment of Council officers to a number of specified posts. The recommendations will support the Council in securing compliance with those statutory duties and the effective management of the Council's functions.

6.4 The Council has statutory duties under Section 5 of the Local Government and Housing Act 1989, to appoint an officer as Monitoring Officer.

6.5 The appointment of the statutory role of Monitoring Officer may only be made by full Council, upon recommendation from the Council's Staff Appointments Committee.

6.6 The Council must follow the procedures set down in the Constitution for the external recruitment of its Monitoring Officer, regarding advertising the post and interviewing candidates.

Other Implications

6.7 None.

7. Background Papers

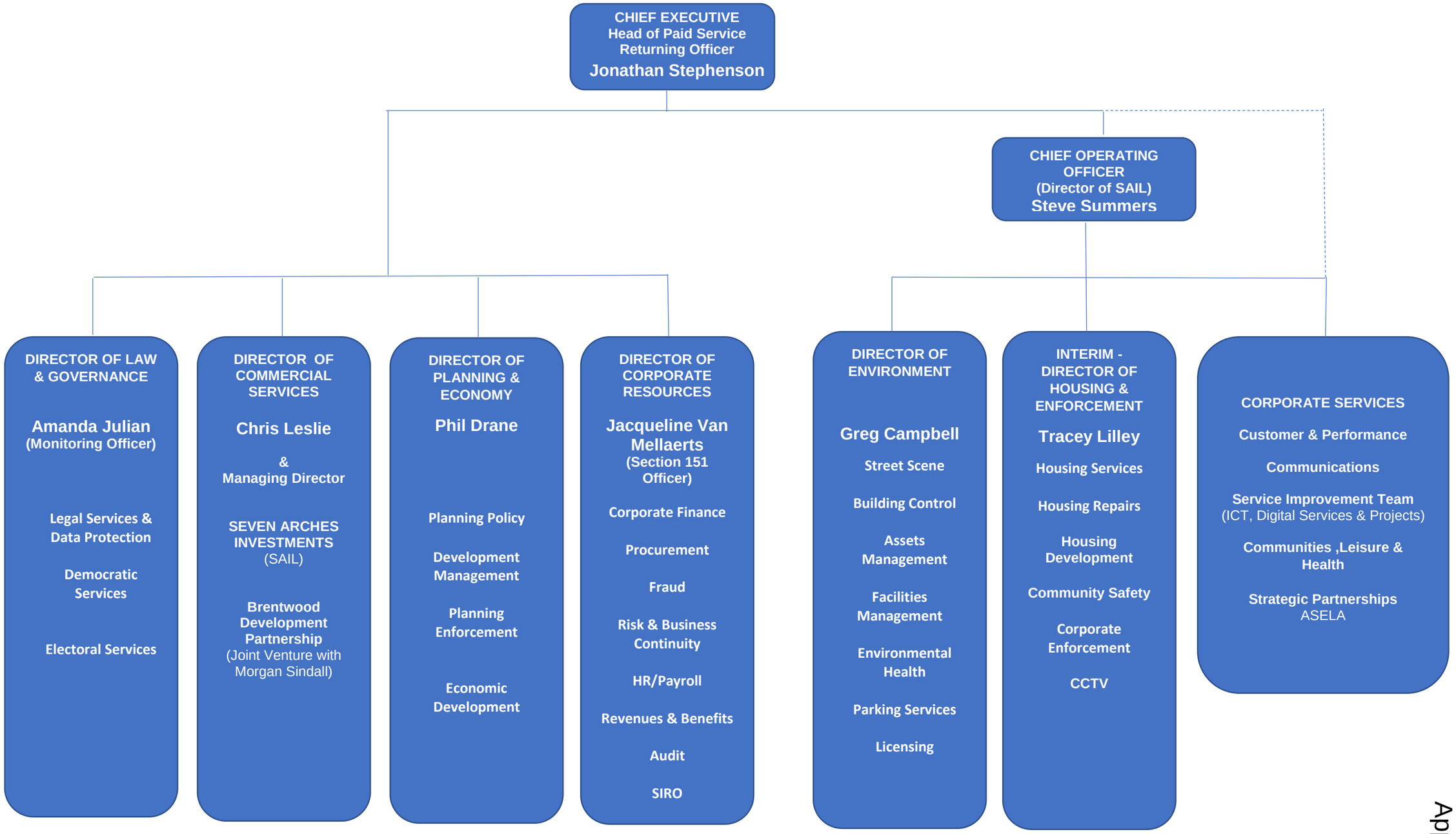
7.1 Report to Extraordinary Council on 18 September 2019.

8. Appendices to this report

Appendix A - Senior Leadership Team Structure

Report Author Contact Details:

Name: Jonathan Stephenson, Chief Executive
Telephone: 01277 312500
E-mail: jonathan.stephenson@brentwood.gov.uk


CHIEF EXECUTIVE
Head of Paid Service
Returning Officer
Jonathan Stephenson
CHIEF OPERATING OFFICER
(Director of SAIL)
Steve Summers
DIRECTOR OF LAW & GOVERNANCE
Amanda Julian
(Monitoring Officer)
Legal Services & Data Protection
Democratic Services
Electoral Services
DIRECTOR OF COMMERCIAL SERVICES
Chris Leslie
&
Managing Director
SEVEN ARCHES INVESTMENTS
(SAIL)
Brentwood Development Partnership
(Joint Venture with Morgan Sindall)
DIRECTOR OF PLANNING & ECONOMY
Phil Drane
Planning Policy
Development Management
Planning Enforcement
Economic Development
DIRECTOR OF CORPORATE RESOURCES
Jacqueline Van Mellaerts
(Section 151 Officer)
Corporate Finance
Procurement
Fraud
Risk & Business Continuity
HR/Payroll
Revenues & Benefits
Audit
SIRO
DIRECTOR OF ENVIRONMENT
Greg Campbell
Street Scene
Building Control
Assets Management
Facilities Management
Environmental Health
Parking Services
Licensing
INTERIM - DIRECTOR OF HOUSING & ENFORCEMENT
Tracey Lilley
Housing Services
Housing Repairs
Housing Development
Community Safety
Corporate Enforcement
CCTV
CORPORATE SERVICES
Customer & Performance
Communications
Service Improvement Team
(ICT, Digital Services & Projects)
Communities ,Leisure & Health
Strategic Partnerships
ASELA

Appendix A

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Committee(s): Ordinary Council	**Date:** 22nd January 2020
Subject: Council Tax Technical Changes 2020/21	**Wards Affected:** ALL
Report Author: Rob Manser, Shared Services Revenues & Benefits Manager	**Public**
Report Author: Name: Rob Manser, Shared Services Revenues & Benefits Manager Telephone: 01268 208039 E-mail: rob.manser@brentwood.gov.uk	**For Decision**

Summary

This report was presented to Policy, Resources and Economic Development Committee on 8th January and now requires Ordinary Council's approval.

This paper recommends amendments to the scheme of Council Tax Discounts and Premiums with effect from 1 April 2020, using discretionary powers granted by the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. This report outlines the changes and the potential impact on the tax base.

Recommendation(s)

Members are asked to approval:

R1. That, in exercise of powers granted to billing authorities in the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, Full Council be asked to determine the following amendments to this Council's scheme of council tax premiums chargeable on empty dwellings:

- **100% where empty for more than two years, commencing 1 April 2020**
- **200% where empty for more than five years, commencing 1 April 2021**
- **300% where empty for more than ten years, commencing 1 April 2022**

Main Report

Introduction and Background

1. The scheme for establishing liability for council tax and its collection is set out in the Local Government Finance Act 1992 (as amended). The Act makes provision for a number of fixed discounts and exemptions (e.g. for homes occupied by

single persons) and gives discretion to billing authorities to grant discounts in other cases within prescribed limits.

2. Since 2013 billing authorities have also been able to charge a premium of up to 50% for properties left empty and substantially unfurnished for more than two years, bringing the total council tax charge in such cases to 150%.

3. The government drafted amendments to the legislation to increase the maximum premium councils may charge from 50% to 100% with effect from 1 April 2019. Amendments to the Bill by the House of Lords, which received Royal Assent on 01/11/2018, extended the proposed powers to even higher levels of premium in subsequent years, these are summarised below.

- From 1 April 2019 for properties that have been empty and substantially unfurnished for more than 2 years a premium of up to 100% may be charged in addition to the normal Council Tax charge – up to a maximum charge of 200%

- From 1 April 2020 for properties that have been empty and substantially unfurnished for more than 5 years a premium of up to 200% may be charged in addition to the normal Council Tax charge – up to a maximum charge of 300%

- From 1 April 2021 for properties that have been empty and substantially unfurnished for more than 10 years a premium of up to 300% may be charged in addition to the normal Council Tax charge – up to a maximum charge of 400%

4. The discretion may be exercised at any levels (or not at all) up to the maximums prescribed. The maximum premium rises the longer the property is left empty, as below:

	Currently	**2019/20**	**2020/21**	**2021/22**
Empty for between 2 and 5 years	50%	100%	100%	100%
Empty for between 5 and 10 years	50%	100%	200%	200%
Empty for more than 10 years	50%	100%	200%	300%

Maximum Premium payable <u>in addition</u> to the normal 100% council tax bill

5. This additional premium does not apply to any empty property qualifying for an exemption, for example while waiting for probate to be granted, where the owner is now in a care home or if the property is substantially furnished.

6. Appendix A highlights the processes the Revenues and Benefits department goes through in gathering the relevant information on empty properties before

reviewing this information and charging additional council tax levies. This appendix has been included to support and assure that premiums are applied correctly and fairly.

7. This is not intended primarily as a revenue-raising measure, as the number of properties affected is small. The intention is to encourage owners to bring long term empty properties back into use, thus easing the general housing shortfall locally and removing some of the blight on neighbourhoods, including crime and antisocial behaviour, often caused by long-term unoccupied properties. The phasing in of the higher levels of premium is designed to give owners time to invest in their properties in order to bring them up to a standard where they can be occupied again or put onto the market for sale.

8. The recommendation to members is to adopt these changes for Brentwood Council with effect from 1 April 2020, summarised below:

- 100% where empty for more than two years, commencing 1 April 2020
- 200% where empty for more than five years, commencing 1 April 2021
- 300% where empty for more than ten years, commencing 1 April 2022

Issue, Options and Analysis of Options

9. 'Do nothing'. The current scheme of premiums and discounts would continue. However, this would see no further income generation and would not incentivise owners/residents to bring properties back into use at the earliest opportunity.

10. To support the maximum increases to the long-term empty property premium starting from 1 April 2020

Legislation/Policy

11. The Local Government Finance Act 2012 introduced discretion for billing authorities to vary some existing Council Tax discounts and exemptions from 1st April 2013.

12. The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 increases the percentage by which a billing authority in England may increase the Council Tax payable in respect of a long-term empty dwelling.

General Information

Financial Implications

13. The year by year increase in the tax revenue from applying the maximum increases is shown below:

Brentwood – Council Tax Long Term Empties	**2019/20 (current)**	**2020/21**	**2021/22**	**2022/23**
Total of current long-term empty dwellings over 2 years	71	71	17	16
Total of current long-term empty dwellings over 5 years			54	34
Total of current long-term empty dwellings over 10 years				21
Current council tax charge without any levy	£147,730	£147,730	£147,730	£147,730
Council tax charge with 50% current levy added	£73,865			
Council tax charge with **new 100%** levy – 2 years		£147,730	£36,315	£34,783
Council tax charge with **new 200%** levy – 5 years			£222,818	£138,858
Council tax charge with **new 300%** levy – 10 years				£130,554
Total council tax charge including levy	**£221,595**	**£295,460**	**£406,863**	**£451,925**
Brentwood's 11% - prior to new levy	£24,375	£24,375	£24,375	£24,375
Brentwood's 11% - incl. proposed new levy (additional)		**£8,125**	**£20,379**	**£25,336**
Total to Brentwood	£24,375	£32,500	£44,754	£49,711

The above table assumes that the total number of properties classed as long-term empty remains constant and does not take into consideration any increases in council tax charges

14. In addition to the above sums, the council will receive a small share of the premium income accruing to the major precepting authorities in 2020/21 from the Essex wide Sharing Agreement for Council Tax. There is no certainty the sharing agreement will extend beyond 2020/21.

Consultation

15. None

References to Corporate Plan

16. Environment and Housing Management
Community and Health

Economic Development
Planning and Licencing
Transformation

Implications

Financial Implications
Name/Title: Jacqueline Van Mellaerts, Director of Corporate Resources
Tel/Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk

17. Financial Implication have been included within the report.

Legal Implications
Name & Title: Steve Summers, Chief Operating Officer and Interim Monitoring Officer
Tel & Email: 01277 312500/steve.summers@brentwood.gov.uk

18. The Council has discretionary powers granted by the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

Economic Implications
Name/Title: Phil Drane, Director of Strategic Planning
Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk

19. As referenced in the report, the recommendation is not primally intended as a revenue-raising measure. Therefore, economic implications are limited to improving the borough's-built environment. Bringing long-term empty properties back into use, easing housing shortfall, and removing blight in neighbourhoods, will contribute to built environment improvements and the borough's reputation. This could assist economic wellbeing and encourage investment.

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

20. None

Background Papers

21. None

Appendices to this report

22. Appendix A – Q&A Revenue and Benefits Empty Home Process.

Appendix A

Revenues and Benefits Empty Home Process

Who do we receive information from that a property is empty?

The council receives information from the owner or landlord of the property and from other third parties such as HMRC, DWP or Land Registry.

How do we receive the information?

The council receives information either online via a web form, by telephone or in person

What does the Revenues and Benefits service do with the information?

When first informed that a property is empty and unfurnished;

1. We apply an exemption to the council tax account which awards the owner a three-month council tax exemption at zero council tax charge.

   A council tax bill is sent with a letter explaining the process at this point.

2. The Revenues and Benefits system then produces a report that identifies any property that is empty and unfurnished for more than three months. From this report the council tax account is then updated to reflect the full council tax charge from month four.

   A revised council tax bill is sent which will show three months at zero council tax charge and the remaining months at a full council tax charge.

   If this information is incorrect or out of date and the owner contacts the council, we will correct the council tax account based upon this information and a revised council tax bill will be issued.

How do we review this information and charge additional council tax levies?

1. The Revenues and Benefits system produces a monthly report hi-lighting all council tax accounts that remain empty and unfurnished. This report is distributed to relevant Brentwood departments for example Environmental Health.

2. The Revenues and Benefits visiting officers will undertake regular inspections of the properties to check to see if they remain empty and unfurnished or if they become furnished or occupied.

3. If the property is furnished or occupied, the council tax account is amended to reflect the change in circumstances or new occupier.

   A revised council bill is sent to the new occupiers.

The Revenues and Benefits system will report any properties that are empty and unfurnished for more than 3 months, 24 months, 36 months and 48 months so that the correct levies can be applied.

How do we help residents with extenuating circumstances? i.e Lengthy Probate.

There are separate exemptions and discounts in place to prevent the levy being applied to the customers account if a long term empty property is in probate scenario.

Revenues and Benefits would always look at each case on an individual basis and would always look to apply an appropriate exemption or discount in the first instance where possible. There are also arrangement options the customer can undertake in discussions with the department if the customer is in hardship.

The Council also does have powers by what is known as a Section 13A(1)(C) to award a local discount. But if this power is used, it is done so with the total cost being borne by the Council.

URGENT BUSINESS – SNAKES HILL

Exempt

This report contains exempt information and is therefore not publicly available.