

# Public Document Pack



Dear Councillor

## **ORDINARY COUNCIL - WEDNESDAY, 20TH JANUARY, 2021**

I am now able to enclose, for consideration on Wednesday, 20th January, 2021 meeting of the Ordinary Council, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>
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6.	<b><u>Public Questions</u> (Pages 3 - 4)</b>
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9.	<b><u>Strategic Property - Acquisition EXEMPT</u> (Pages 5 - 6)</b>
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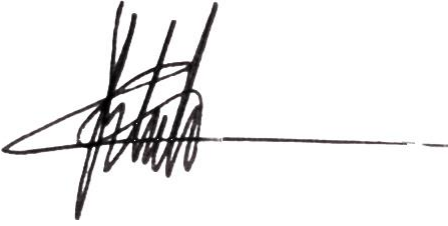
The report/appendices are confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

10.	<b><u>Constitution Working Group</u> (Pages 7 - 26)</b>
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12.	<b><u>Committee Chairs Reports and Members Questions</u> (Pages 27 - 40)</b>
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13.	<b><u>Notice of Motion</u> (Pages 41 - 42)</b>
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Yours sincerely

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Chief Executive

Encs

14/01/21

# Agenda Item 6

<b>Committee:</b> Ordinary Council	<b>Date:</b> 20 January 2021
<b>Subject:</b> Public Questions	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew – Corporate & Democratic Services Manager	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew – Corporate & Democratic Services Manager Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Information

In accordance with the Council's Constitution, a member of the public resident within the Borough may ask a maximum of two questions relating to the business of the Council providing notice has been received by 10.00am two working days before the relevant meeting.

In light of the current restrictions due to the pandemic, members of the public are not allowed to enter the Town Hall therefore may attend Council meetings and put their questions remotely. Alternatively, they may request that their questions are put to the relevant Member by the Deputy Mayor at an Ordinary Council meeting.

Every question asked pursuant to rule 11.1 of the Constitution shall be put and answered without discussion but the Member to whom the question has been put may decline to answer. An answer may take the form of a direct oral answer at the Council meeting or where there has been insufficient time to research an answer, a written answer will be sent to the questioner. Time for all questions from members of the public shall be restricted to 15 minutes in total. At the expiration of that period of time, any questions which have not been asked shall be answered in writing and the answer placed with the minutes.

Ms Susan Kortlandt had submitted two questions:

1. I note with regret that the Government has not renewed the "Everybody In" scheme for rough sleepers during the winter. With lockdown in force, freezing weather and rates of infection at record highs, no-one should be forced to sleep in the open now.

How will the Council ensure that everyone in the Borough has a place to stay indoors?

2. At the last Council Meeting, I was very pleased to hear that agreement had been reached for a mobile 'phone mast for EE and Three to be placed on Masefield Court. Unfortunately, there is no evidence of work actually taking place as yet.

After more than six months without a reliable mobile signal, please can the Leader give me a date when I may expect to be reconnected to a mast, and what progress has been made regarding the mast for Vodafone and O2?

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## Item 9

### **Strategic Property - Acquisition EXEMPT**

The report/appendices are confidential by virtue of the likely disclosure of information exempt under para. 1 and 3 of Part 1 to Schedule 12A to the Local Government Act 1972, namely information relating to any individual and information relating to the financial or business affairs of any particular person (including the Council).

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<b>Committee:</b> Ordinary Council	<b>Date:</b> 20 January 2021
<b>Subject:</b> Constitution Working Group	<b>Wards Affected:</b> All
<b>Report of:</b> Amanda Julian – Corporate Director of Law and Governance and Monitoring Officer	<b>Public</b>
<b>Report Authors:</b> Name: Claire Mayhew – Corporate & Democratic Services and Deputy Monitoring Officer Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For Decision</b>

## SUMMARY

The Council is required by Section 37 of the Local Government Act 2000 to keep its Constitution up to date.

This report sets out several proposals for the revision of following paragraphs within Part 4.1 Council Procedure Rules, paragraphs 7, 9, 27 and the Planning Chapter.

The attached appendices reflect the significant and detailed contributions from the Working Group Members.

## RECOMMENDATION/S

**Members are asked to:**

- R1. To adopt the proposed additions to the Planning Chapter within the Council's Constitution set out in Appendix A.**
- R2. To adopt the proposed additions to paragraphs 7, 9 and 27 within Part 4.1- Council Procedure Rules within the Council's Constitution set out in Appendix B.**

## INTRODUCTION AND BACKGROUND

1. The Council Constitution governs the way the Council operates and how decisions are made.
2. The Council is responsible for monitoring and reviewing the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect (Article 12.1(a) Duty to Monitor and Review the Constitution).
3. Subject to certain exceptions changes to the Constitution are only effective if approved by Full Council. Normally changes will only be considered by Full

Council following a report and recommendation from the Constitution Working Group or the Audit & Scrutiny Committee (“Member body”) and having received advice from the Monitoring Officer, (Article 12.1(c)). The Monitoring Officer may submit a report direct to Full Council in any case where his/her advice is not accepted by the Member body (Article 12.2(f)).

4. The Members of the Working Group met on five occasions since April 2020.

#### Planning Chapter

5. Further work has been undertaken by the Constitution Working Group (CWG) after the approval of the Planning Chapter at Ordinary Council on 2<sup>nd</sup> December 2020, the proposed amendments provide Members will more clarification about the Planning procedure.

#### Chairs Reports and Questions

6. The Constitution Work Group (CWG) proposed an additional paragraph be included under Part 4.1 paragraph 7.2 relating to the question(s) being put to a Chair in relation to the content of the report within the agenda. The suggested paragraph 7.2 (c) can be found at Appendix B.

#### Voting

7. Together with the suggestion amendment to 7.2, the Constitution Work Group (CWG) proposed changes to Part 4.1 paragraph 9 (Appendix B) concerning the voting process.
8. More comprehensive discussion of the working group was made around the remote voting process with a proposal of empowering a more fluent way of voting and ensure a robust decision-making process is undertaken.

#### Appointment of Representatives on Outside Organisations

9. At Ordinary Council on 2<sup>nd</sup> December 2020, a motion was submitted by Cllr Poppy and seconded by Cllr Hossack which stated:-

*“I would like to ask that the CEO, and the MO review the policy of placing members as trustees on outside bodies. As part of the work of the Constitution Working Group (CWG)”.*



10. This was approved by Council and was presented to the Constitution Work Group (CWG) on 15<sup>th</sup> December 2020, the suggested amendments by the Constitution Work Group (CWG) under Part 4.1 paragraph 27.1 & 27.2 can be found at Appendix B.

### **Issues and Context**

11. A Council's Constitution must by law contain a copy of the Council's current standing orders, a copy of the Council's Member's Code of Conduct and such other information as the Secretary of State may direct and such other information that the Council considers appropriate.
12. The purpose of the Constitution is already set out in Article 1.3 of the current Constitution.
13. Any Constitution should be designed to better facilitate actions, so the at the Council can deliver its expressed vision and its relative and often interrelated corporate priorities.

### **REASONS FOR RECOMMENDATIONS**

14. Section 37 of the Local government Act 2000 required that the Council has in place a document, known as its Constitution, which should be regularly reviewed.

### **CONSULTATION**

15. No consultation is required in advance of submission of the report and items by the CWG with Members in order to finalise recommendations to Council for final approval.

### **IMPLICATIONS**

#### **FINANCIAL & RISK IMPLICATIONS**

**Name & Title: Jacqueline Van Mellaerts, Director of Corporate Resources (Section 151)**

**Tel & Email: 01277 312500/ [jacqueline.vanmellaerts@brentwood.gov.uk](mailto:jacqueline.vanmellaerts@brentwood.gov.uk)**

16. There are no direct financial implications from this report. Resources to fund the changes to the constitution have been managed within the Council's existing budget.

## **LEGAL IMPLICATIONS**

**Name & Title: Amanda Julian, Director of Law & Governance (Monitoring Officer)**

**Tel & Email: 01277 312500 /amanda.julian@brentwood.gov.uk**

17. Local Government Act 2000 Section 37(1) requires a Local Authority to prepare and keep up to date a Constitution. Article 12 of the Constitution provides that a report of the Constitution Working Group should be brought to Ordinary Council with recommendations on the changes required.

## **ECONOMIC IMPLICATONS**

**Name & Title: Phil Drane, Director of Planning & Economy**

**Tel & Email: 01277 312500/ philip.drane@brentwood.gov.uk**

18. The Council is committed to growing the local economy. A clear governance process for determining planning applications aids the role of the local planning authority when supporting economic growth.

## **Equality and Diversity Implications**

**Name/Title: Kim Anderson, Partnerships, Leisure & Funding Manager**

**Tel/Email: 01277 312634/kim.anderson@brentwood.gov.uk**

19. The local authority should have due regard to the Equality Act 2010 and in particular Section 149 The Public Sector Equality Duty in the exercise of its functions.

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

## **Background Papers**

None

## **Appendices to this report**

Appendix A –Proposed additions to the Planning Chapter

Appendix B - Proposed additions to paragraphs 7, 9 and 27 (Part 4.1 - Council Procedure Rules).

## PLANNING COMMITTEE – CHAPTER

### PART A - Terms of Reference of the Planning Committee

Council has determined that the Planning Committee shall be constituted and shall have delegated authority for the discharge of Council’s functions as set out below:

<b>PLANNING COMMITTEE</b>	
<b>Appointed by:</b> The Council under Section 102 of the Local Government Act 1972	<b>Number of elected Members:</b> 12
<b>Chair and Vice-Chair appointed by:</b> The Council	<b>Political proportionality:</b> The elected Members shall be appointed accordingly to Political proportionality.
<b>Quorum:</b> 4	
<b>Code:</b> <ol style="list-style-type: none"> <li>1. The Planning Committee Procedures in Part B of this Chapter.</li> <li>2. Code of Practice for Members and Officers – Planning Application, in Part D of this Chapter.</li> </ol>	
<b>Terms of Reference:</b> <ol style="list-style-type: none"> <li>1. To determine planning and associated or related application for the use or development of land or application for listed building and conservation area consent, to take enforcement or other action, or generally to control the use and development of land. The applications to be considered by the Planning Committee are set out at Part B.</li> <li>2. To keep under review and make minor alterations as necessary to the Committee’s procedures.</li> <li>3. Without prejudice to the generality of the foregoing, this delegation included the functions as set out in column (1), paragraph A of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, and all legislation appertaining to planning contained in the Planning Acts including changes introduced by the Localism Act 2011 and the Growth Acts and any amendments thereto.</li> </ol>	

## **Part B – Planning Committee Procedures**

### **1. Interpretation**

- 1.1 Subject to paragraphs 1.2 and 1.3 below, these procedures shall be interpreted in accordance with the Council's Constitution.
- 1.2 "Chair" include, in addition to the Vice-Chair any Members of the Planning Committee elected to Chair a particular meeting.
- 1.3 "Application" means and application for the planning permission and associated or related application for the use or development of land or applications for listed building and conservative area consent or applications otherwise within the terms of reference of the Committee.
- 1.4 "Case Officer" means the planner assigned to process the application (and associated or related applications), usually from the Development Management Team, in place to advise the Planning Committee on them, or someone authorised by him/her to act on his/belief.
- 1.5 "Senior Officer means the Chief Executive/Head of Paid Service, Director/Senior Leadership Team, or Development Management Team Leader employed by Brentwood Borough Council

### **2. Applications to be considered by the Planning Committee**

- 2.1 The following applications will be considered by the Planning Committee:
  - (a) Applications that the Case Officer considers to have significant policy or strategic implications, including departures from the approved development plan which would require referral to the Secretary of State;
  - (b) All applications by or behalf of the Authority in accordance with provisions of the Town and Country Planning General Regulations;
  - (c) All applications by or on behalf of Members, Senior Officer or Officer employed in the Authority's Planning Service (including immediate family of such Members or Officers).
  - (d) Applications that have been referred to the Planning Committee by a Member of the Council that has subsequently been approved by the Chair and/or the Vice Chair of the Committee
  - (e) If a Member of the Planning Committee who is party to a request made under 2.1 (d) for an application to be considered by the Planning Committee subsequently declares a disclosable pecuniary interest in that application, the item will be withdrawn from the agenda and dealt with by Officer under delegated authority.

### **3. Planning application validation list**

- 3.1 The Case Officer shall prepare weekly a list of applications (“Application Validation List”) that will indicate which are to be considered by the Planning Committee and which are likely to be determined by Officers under delegated authority.
- 3.2 The Planning Applications Validation list will be circulated to all Members of the Council and Parish Council once a week by email.

### **4. Enforcement functions**

- 4.1 The decision on whether or not to pursue or vary enforcement action against any breach of planning control is delegated to the Senior Officer.
- 4.2 Enforcement decision and alleged breaches are reported in line with the Council’s approved Enforcement Plan, which may be amended from time to time.

### **5. The public addressing the Committee**

- 5.1 The Planning Committee may allow objectors, supporters, applicants/planning agents, parish council, other formally constituted bodies (e.g. amenity/residents associations) and also owners of premises subject to enforcement action, or their agents to address the Committee.
- 5.2 The rules for the conduct of the public in addressing the Committee are set out at Part C of this Chapter.

### **6. How decisions are taken at meetings**

- 6.1 The normal procedure is:
  - (a) The Chair takes the item in order listed on the agenda
  - (b) The Case Officer introduces the item, clarifying any issues as necessary
  - (c) Speaker in opposition (if any) addresses the Committee in accordance with Part C – 3 minutes
  - (d) Speaker in support (if any) addresses the Committee in accordance with Part C – 3 minutes
  - (e) Other bodies (e.g. amenity/residents associations) (if any) address the Committee in accordance with Part C – 3 minutes
  - (f) Applicants or agent/representative (if any) addresses the Committee in support in accordance with Part C – 3 minutes

- (g) Ward Member (if any) that is not a member of the Planning Committee, may address the Committee in accordance with Part C – 3 minutes. If the ward member is also a member of the Planning Committee they will speak under provision (i) only
  - (h) Parish Council (if any) addresses the Committee in accordance with Part C – 3 minutes
  - (i) Members of Planning Committee – 5 minutes
  - (j) Any Member of the Committee who has disclosable pecuniary interest, speaking after being granted a dispensation to allow him/her to speak in accordance with the Member's Code of Conduct will withdraw immediately after speaking.
  - (k) The Committee may seek clarification of those who have spoken on any issued raised in their address
  - (l) The Case Officer shall address any issues resulting from the procedure set out in Rule 6.1 (a) to (f) above and the Committee may put questions to the Case Officer
  - (m) The Committee then debates the matter and does not hear any additional representative or comment from the public or non-Committee Members, but may seek further clarification from Officers. Officers may also advise the Committee on relevant planning matters.
- 6.2 When the Chair considers that there has been sufficient debate, he/she will call for a decision. A vote may be taken on the recommendation in the report, once proposed and seconded, or on a motion moved by a Member of the Committee, altering the reports recommendation.
- 6.3 A motion moved by a Member of the Committee that alters the wording of the recommendation of the report must be seconded and be supported by planning reasons for the alteration and those reasons will be set out in the minutes of the meeting.
- 6.4 If the Chair calls for the application to be determined a vote shall be taken on the recommendation as defined in 6.2. If this fails, an alternative motion may be made by any Member of the Committee.
- 6.5 If an alternative motion is moved by a Members of the Committee it must be supported by clear planning reasons and seconded prior to being to the vote. Those reasons will be set out in the minutes of the meeting.
- 6.6 The Case Officer and or the Legal Advisor shall be afforded the opportunity to advise the Committee during the course of debate or any stage of the meeting.

6.7 If a member of the Planning Committee has referred an item and the Chair and/or Vice Chair of the committee has allowed it to be heard. Member must have due regard when making the referral that they must do so with an open mind and ensure they have not shown predetermination, prejudice or bias to towards the referred application.

## **7. Decision contrary to Officer recommendations**

7.1 The laws required that where regard is to be held to the Development Plan, decision shall be taken in accordance with it, unless material considerations indicate otherwise (Section 38 (6), Planning and Compensation Act 2004).

7.2 If the Planning Committee seek to make a decision contrary to the Case Officer recommendation (whether for approval or refusal), the following will apply:

(a) The mover of the motion should clearly specify the motion including the planning reasons for the departing from the Officer recommendation. Both the reasons and the motion should be put to the Committee orally and in public. Any such motion must be seconded

(b) The Case Officer should always be given the opportunity to explain the implications of what has been proposed to the Planning Committee in public before any vote is taken

(c) If the Planning Committee arguments against the Case Officer recommendation are very clear and substantiated on planning grounds the application shall be determined at the meeting. If not, the application should be deferred to enable the Case Officer to draft a further report for the subsequent meeting of the Committee, outlining the implications of making a decision contrary to the Case Officer recommendation. If appropriate, the Legal Advisor's opinion should be sought as to whether a deferral is necessary. The Committee's reasons must be formally recorded in the minutes.

7.3 When a planning application has be referred to a future meeting following a resolution of 'mindful to approve' or 'mindful to refuse', contrary to the Case Officer recommendation, then at a subsequent Committee meeting, the Case Officer will prepare a further written report that will include the reasons formulated by the Committee for being mindful to approve or refuse permission.

7.4 If the Committee is still of the same view, then it will again consider its reasons for approving or refusing permission, and a summary of the planning reason for the reasons will be given, which reasons must then be formally recorded in the minutes of the meeting. It is important that the justification for the departing from the Officer recommendation that is recorded in the minutes are those reasons given at Committee and in public and that the justification is not subject to later elaboration in the minutes, which is more extensive than the oral presentation.

- 7.5 The Courts have expressed the view that reasons should be clear and convincing. Members must satisfy themselves that where they reach a decision contrary to an Officer recommendation their reasons are substantiated by evidence and that they are able to demonstrate reasonable planning grounds for taking a decision contrary to Officer advice. Where a decision is taken to refuse an application but the Officer recommendation is to approve, the Committee must consider whether any conditions could have allowed the development to have proceeded. In addition, Members should exercise caution in not giving undue weight to any particular consideration.
- 7.6 In instances where the Planning Committee grants approval of an application against Officer recommendation, the Case Officer shall draft conditions based on the wording expressed by the Committee to be attached to the approval which shall be agreed in writing with the Chair of the Planning Committee, unless the Committee grants delegated authority to the Case Officer. It must be made clear at the Committee which option is taken.
- 7.7 In instance where the Planning Committee refuse an application against Officer recommendation, the detailed reasons for refusal (which shall reflect the minuted reasons provided by the Committee) shall be agreed in writing with the Chair of the Planning Committee, unless the Committee grants delegated authority to the Case Officer.

## **8. Site visit by the Planning Committee**

- 8.1 Prior to any meeting of the Planning Committee, the Case Officer may be of the opinion that a site visit should be arranged to a site that is the subject of a major application of strategic importance to be considered by the Committee to enable Members to become familiar with the issues to be considered. Any site visit arranged to take place prior to a meeting of the Planning Committee shall be arranged in accordance with Rules 8.6 to 8.9 below and at 09.30am on the Saturday preceding the Committee Meeting.
- 8.2 Occasionally the Committee may defer taking a decision on an item in order to make a site visit. Reasons for a site visit being made shall be recorded in the minutes.
- 8.3 The Committee Members who propose and second a site visit should ensure that they attend the visit or arrange for a substituted Member to attend at 09.30am on the Saturday preceding the Committee Meeting.
- 8.4 Site visits are to be held solely for the purpose of informing the Planning Committee Members by way of visual inspection about the nature of the application. No attempt should be made to make representations or lobby the Committee or individual Members during a site visit.



- 8.5 The planning department will contact the applicant and/or their planning agent to arrange access to the site or premises. Invitations will be sent to the Members of the Committee and Ward Members. Applicants and/or their planning agents and any objectors (or representative or sample of such objectors) shall be informed of the visit. The notification shall contain a brief summary of the procedure to be adopted at the site visit.
- 8.6 The Planning Committee, along with the Case Officer, shall carry out the inspection in one group. Planning Committee Members and applicants, agents, objectives and Ward Members present shall not engage in individual discussions.
- 8.7 The Case Officer and any other Officer present shall draw to the Committee's attention any relevant features of the site.
- 8.8 Members will not make any decision during the site visit, but may, through the Case Officer, ask questions or seek clarification, particularly about the characteristics of the site. Members should refrain from the making comments on the merits of the application during the course of the inspection.
- 8.9 The Case Officer will record the date of the visit, Members present (including non-Members of the Committee) and any other relevant information. A record of the Members present will be included in the minutes of the Meeting.

## Part C – Public participation at a meeting of the Planning Committee

### 1. Introduction

- 1.1 The Council wants to provide the opportunity for the Public and the applicants (or their agents) to speak at the meeting of the Planning Committee before Members of the Committee take their decision. Anyone who has written to the Council making representations on a planning application will be contacted by the planning department upon publication of the relevant agenda and will be advised of the relevant process relating to public speaking (see paragraphs Part C 2.4 and 3.1-3.3).
- 1.2 Upon receipt of a request to speak at the meeting of the Planning Committee, the Democratic Service Clerk will organise all such public speaking.

### 2. Who can speak at a meeting of the Planning Committee?

- 2.1 Only the following may address the Planning Committee:

(a) In the case of a planning application:

- (i) An objector or their representative
  - (ii) An support or their representative
  - (iii) Other bodies (e.g. amenity/residents associations)
  - (iv) Applicant/Agent or their representative
  - (v) A Ward Member
  - (vi) Parish Council
  - (vii) A Member of the Planning Committee**
  - (viii) Any Member of the Committee who has disclosable pecuniary interest, speaking after being granted a dispensation to allow him/her to speak in accordance with the Member's Code of Conduct will withdraw immediately after speaking.
- 2.2 Only one person, in addition to a Ward Member, will be invited to speak in support of, or in opposition to, any application of enforcement matter appearing on the agenda for the meeting the Planning Committee.
- 2.3 Subject to paragraph 2.2, if a person wishes to speak in objection to an application, the applicant must be allowed to speak. An applicant may speak at a meeting even where there are no objectors or Ward Members wishing to speak.

All requests to speak to a meeting of the Planning & Licensing Committee, including those from Ward Members or those notified under paragraph 1.2, must relate to a matter to be considered at the forthcoming meeting of the Committee and be accompanied by a written statement sufficiently setting out the planning matters the speaker wishes to raise at the meeting.

### 3. How can I speak at a meeting of the Planning Committee?

3.1 All requests to speak including those from Ward Members or those notified under paragraph 1.2, should be received by the Democratic Services Clerk no later than ~~noon~~ two working days prior to the meeting, ~~excluding the day on which the meeting is to be held,~~ (for example, if the Planning Committee is meeting on a Tuesday, the deadline for registration and receipt of a written statement, sufficiently setting out the planning matters the speaker wishes to raise at the meeting, will be ~~12 noon~~ before close of play on the Thursday before the day of the meeting) in one of the following ways:

(a) In writing, address to the:

Clerk of Planning Committee  
Democratic Services  
Brentwood Borough Council  
Ingrave Road  
Brentwood  
Essex  
CM15 8AY

(b) Via a form on the Council's website at: [www.brentwood.gov.uk](http://www.brentwood.gov.uk)

(c) By e-mail to: [zoe.borman@brentwood.gov.uk](mailto:zoe.borman@brentwood.gov.uk)

(d) If any assistance in registering to speak at the meeting is required, please telephone (01277) 312500.

3.2 The Chair of the Planning Committee will not normally allow members of the public to speak if they have failed to notify the Council of their wish to do so in one of the ways described above.

3.3 Where there is more one request to speak on a particular application and those parties have not agreed amongst themselves who will be the appointed spokesperson, the request made will be the person who notified the Council they wished to speak first.

3.4 Where a request is made to speak in opposition to an application the applicant or agent shall have the right to reply to the Committee. A copy of the speaker's written objection will be forwarded to the applicant or their agent and, if they wish to speak at the Committee, the applicant or agent must forward their response, in writing, to the Democratic Services Clerk by noon on the working day before the meeting of the Committee.

3.5 Although Democratic Services Clerk will make every effort to advise the applicant/agent where any such notice has been received, it is the responsibility of the applicant/agent to check two working days (excluding the day on which the Committee is to be held) before the application is be considered as to whether or not anyone has registered to speak.

3.6 The Committee will be provided with copies of the written statements, as referred to in Rule 2.4, from all the speakers prior to the meeting and the relevant agenda and reports will be published to the Council's web site at least five working days before the meeting, with a limited number of copies being made available to persons attending the meeting.

3.7 The Chair may agree to accept representations made outside these procedures where there are exceptional circumstance, for example then someone can show that they have been prejudiced by a failure of the Council to follow procedure in this Constitution. The Chair will state the reasons for using his/her discretion in this respect and these will be included in the minutes of the meeting.

#### 4. What happens at the meeting of the Planning Committee?

4.1 Application will usually be taken in the order that they appear on the published agenda. However, the Chair may exercise some discretion to allow for those application subject to public participation to be taken first.

4.2 For any application that are subject to public participation, the order in which registered speakers will be called to address the committee will be as follows:

- (i) An objector or their representative
- (ii) An support or their representative
- (iii) Other bodies (e.g. amenity/residents associations)
- (iv) Applicant/Agent or their representative
- (v) A Ward Member
- (vi) Parish Council
- (vii) A Member of the Planning Committee
- (viii) Any Member of the Committee who has disclosable pecuniary interest, speaking after being granted a dispensation to allow him/her to speak in accordance with the Member's Code of Conduct will withdraw immediately after speaking.

4.3 A person who has registered to speak may address the Committee for a period not exceeding 3 minutes. If the time limit is exceeded the Chair will immediately call for an end to the speech.

4.4 If a person who has registered to speak at the meeting does not attend, the application will be dealt with in their absence and will not, for that reason, be deferred.

4.5 No documentation may be circulated, or audio or visual material presented to the Members of the Planning Committee at the meeting.

4.6 The Case Officer or the Legal Advisor advising the Committee, in consultation with the Chair, may disallow any matter which may give offence, deal with confidential or exempt information or otherwise infringe the proper conduct of local government. In such cases, reason for the disallowance will be given.

4.7 If at the start of the meeting, the Committee decided to defer an item to a future meeting, any speaker who have registered to speak prior to the item being deferred will be given first priority to speak when the item is reported back to Committee. In instances, where an application is deferred after speakers have addressed the Committee (for example, to enable a site visit to be undertaken) then when the matter is reported back to Committee there will be no further rights for any party to speak further.

## **5. What can you speak about?**

5.1 Speaker can speak for themselves or on behalf of others. Any representations made should relate only to material planning considerations and not matter that fall outside the remit of the Committee.

5.2 Speakers are asked where possible not to repeat points made by other speakers.

**Part D – Planning Code of Good Practice**

*Latest Code to be inserted here*

## AMENDMENTS TO PART 4.1 – COUNCIL PROCEDURE RULES

### Paragraphs 7, 9 and 27

#### 7. Chair Reports and Questions

- 7.1 A brief written report by each committee Chair covering their area of responsibility will be circulated with the agenda for each Council meeting.
- 7.2 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.
  - (c) No question should be put to the Chair if it relates exclusively to a ward, operational or resident matter that could have otherwise been resolved by reasonable use of the casework system.
- 7.3 The period allowed for Chairs' reports, 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.

#### 9. Voting

- 9.1 Unless stated elsewhere in this constitution, any matter will be decided by a simple majority of those members present **at the meeting** and voting at the time the question was put.
- 9.2 If there are equal numbers of votes for and against, the Mayor/**Chair** will have a second or casting vote. There will be no restriction on how the Mayor/**Chair** chooses to exercise a casting vote.
- 9.3 The Mayor/**Chair** has the discretion to conduct a vote by a show of hands or, if there is no dissent, by affirmation of the meeting. A show of hands will be the normal method of voting at all committees and sub-committees. **This only applies to non-virtual/hybrid meetings.**
- 9.4 Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.
- 9.5 Where any **five members** rise and request it immediately before the vote is taken, the voting on any question shall be recorded so as to show whether each member present gave his vote for or against that question or abstained from voting. The results of any vote so recorded shall be set out in the minutes of the meeting. **This is will taken in the normal way, as a roll call and be read out by the Clerk.**

- 9.6 Where a member is called to vote they must only state whether they are 'for', 'against' or 'abstaining' on the motion.
- 9.7 Members may not rescind a previous vote once the subsequent member's vote has been cast.

### Remote voting

- 9.8 Following a period of debate and where a motion has been moved and seconded the motion will be put. The Mayor/Chair will take the vote by way of:-
- (a) an electronic voting system(s) for remote voting if available or
  - (b) by the affirmation of the meeting there is no dissent [by assent]; If there is no dissent for a period of 30 seconds then the motion and the recommendations will be deemed to have been carried unanimously under tacit acceptance.
  - (c) during the 30 second period members may request a vote either by way of a simple roll call or under rule 9.5.- a formal recorded vote. This request may be made verbally or by indicating on the system. That being so, the Mayor/Chair will instruct the Committee Clerk to take a roll call of members present who will exercise their vote upon being called.

## **OUTSIDE BODIES**

### **27. Outside Bodies**

- 27.1 Any person appointed by Council to serve on an outside body shall be appointed until they resign, are dismissed or their successor is appointed. Members shall cease to hold appointments on the fourth day after the ordinary day of election unless they are re-elected as a Borough Member at the Election.
- (a) The Council should not appoint where there is a conflict of office or interest
  - (b) The Council should not appoint where the appointment holds a risk that insolvency of the body would render the appointee debarred from office i.e. where the appointment is an effective directorship listed at Companies House.
- 27.2 The Chief Executive will:
- (a) in consultation with the appropriate Group Leaders, revise as necessary appointments to outside bodies arising as a result of a vacancy or otherwise;



(b) in consultation with the Leader of the Council and the Group Leaders, agree the allocation of appointments to any new outside bodies or organisations.

(c) ensure that the body meets the criteria for an appointee

27.3 The Appointee will:

(a) ensure a good flow of communication between the outside body and the council. This will include non-confidential matters that the appointee may consider to be of interest or significance to either party.

(b) upon request of the Chief Executive, provide a update on any disclosable matters pertaining to the outside body.

(c) be prepared to provide a brief report to the Audit & Scrutiny committee when requested to do so under the work programme.

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# Agenda Item 12

<b>Committee:</b> Ordinary Council	<b>Date:</b> 20 January 2021
<b>Subject:</b> Chairs' reports and Members' Questions	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew – Corporate & Democratic Services Manager	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew - Corporate & Democratic Services Manager Telephone: 01277 312741 E-mail: <a href="mailto:claire.mayhew@brentwood.gov.uk">claire.mayhew@brentwood.gov.uk</a>	<b>For Information</b>

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.

One written question has been received from Cllr Chilvers, as follows:

*The Brentwood Leisure Trust (BLT) was offering a two year gym membership at the Brentwood Centre at a cost of over £550. A contract of this duration is uncommon and is certainly ill-advised according to trusted financial advice website [moneysavingexpert.com](http://moneysavingexpert.com).*

*When were Brentwood Council's administration councillors, officers or trustees made aware of this prior to BLT going in to administration? If so, was it raised with the trust as a concern or added to the council's risk register?*

*Those that paid by credit card may be able to claim via their card issuer but what course of action can those that paid by other means take to recover their subscriptions, bearing in mind it takes many months to recover monies as an unsecured creditor in an administration scenario and only a nominal fraction is usually recovered?*

## **Appendices to this report**

Chairs Reports for:

Appendix A: Audit and Scrutiny Committee – To follow

Appendix B: Community and Health Committee

Appendix C: Environment, Enforcement and Housing Committee – To follow

Appendix D: Policy, Resources and Economic Development Committee – To follow

## Appendix A

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 20 <sup>th</sup> January 2021
<b>Subject:</b> Chairs report for Audit and Scrutiny Committee	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Charles Nolan	
<b>Report of:</b> Jacqueline Van Mellaerts, Corporate Director of Finance & Resources	<b>For Information</b>

No Audit and Scrutiny meetings have taken place since the last Ordinary Council.

### **Statement of Accounts 2019/20**

In the previous chairs report at the last Ordinary Council, members were advised that the Unaudited (Draft) Statement of Accounts 2019/20 and Annual Governance Statement was approved by Audit & Scrutiny on 28<sup>th</sup> July by the revised deadline of 31<sup>st</sup> August. The minutes of this meeting have been reviewed and the recommendations clearly state the unaudited accounts were approved.

Members were also advised that External auditors EY LLP are scheduled to commence the audit on 21<sup>st</sup> September and complete on 31<sup>st</sup> October 2020. For Local Authorities the publication date for audited 2019/20 accounts has moved from 31<sup>st</sup> July to 30 November 2020, because of COVID-19.

The latest Audit & Scrutiny Committee took place on 24<sup>th</sup> November, in order to adhere to the revised publication deadline. The Audit Results Report has been received from EY and a presentation was made on their findings.

At the time of writing the report the auditors have raised some outstanding matters that need to be completed before the audit opinion can be given. Subject to satisfactory completion it is expected to issue an unqualified opinion.

The auditors also advised their audit opinion, subject to consultation, is likely to emphasise the following:

- Valuation of investment properties and other land and buildings valued using market data – We expect to include an “emphasis of matter” paragraph to draw users attention to the Council’s valuer’s material uncertainty disclosure in Note 38 of the accounts. This is not a modification to the audit report.
- Going concern – given the significance of the Covid-19 pandemic on the financial operations and financial management of the Authority we have been required to complete additional procedures in respect of Going Concern and assess management’s disclosure covering the Council as a single entity and also in respect of its wholly owned subsidiary. Depending on our review of that information and responses there may be an impact on our audit report for 2019/20. Once we have obtained and reviewed the Council’s assessment and proposed disclosure, our final audit report will be subject to internal consultation with our professional practice directorate.

There were a number of adjusted differences that will be updated by management in the final statement of accounts, and two unadjusted differences that will not be corrected by management.

### **Scrutiny Work Programme**

The committee continues to undertake its scrutiny work programme for the following workstreams:

- Local Development Plan
- Performance Indicators and Formal Complaints
- Housing and Repairs and Maintenance contract (To be arranged)

## Appendix B

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 20 January 2021
<b>Subject:</b> Chairs report for Community and Health Committee	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Cliff Poppy	
<b>Report of:</b> Kim Anderson, Partnership, Leisure and Funding Manager	<b>Public</b>
<b>Report Author:</b> Name: Kim Anderson, Partnership, Leisure and Funding Manager Telephone: 01277 312500 E-mail: kim.anderson@brentwood.gov.uk	<b>For Information</b>

### **Community Support Network**

Weekly meetings are continuing to take place with the Community Support Network. Requests for support increased in the run up to Christmas. There is still a need for telephone befriending services especially for the elderly. Lighthouse Furniture project has seen a continued rise in demand.

The Community Support email was monitored over the Christmas holiday period and there was a watching brief with the wider network on any rise in referrals with expectation that demand for support is likely to increase in the run up to Christmas.

The festive Can in the Van initiative on the 4 December to support the local foodbank, Daily Bread Café and Manna Meals, had enough donations to fill 56 red glass boxes. These were distributed over the Christmas period.

The CVS led donations for presents of treats for elderly residents that were alone had 175 parcels wrapped and delivered to the community hubs for distribution to vulnerable residents. And lastly the Daily Bread Café gave out 300 hampers with a turkey in the run up to Christmas.

### **Brentwood Leisure Trust and Brentwood Centre re-opening**

As Members will be aware the Brentwood Centre was opened on the 5 December. As Brentwood is currently in Tier 4 the government restrictions state that leisure centres remain closed to the public. Staff are carrying on with ongoing training and other tasks that are easier to complete without the public on site. They will continue to support the mass vaccination set up at the site.

The Council is in the process of applying to the National Leisure Recovery Fund, and the deadline for submission is 15 January.

The International Hall is being used as a mass vaccination Centre with the first cohort of residents being vaccinated before Christmas and returning for their 2<sup>nd</sup> vaccination on 5 & 6 January. It is likely that the vaccinations days will increase in January as the supply of vaccines increases and with it .

## **Testing sites**

### Mobile Testing sites

The Brentwood Centre car park and Hutton Poplars Hall are currently being used as mobile testing sites for those that have symptoms. Other sites are being considered should further sites be required.

### Lateral flow testing

The lateral flow testing site has been set up at the Nightingale Centre. This is by appointment only for asymptomatic residents.

## **Leisure Strategy – King George’s Playing Fields**

Works are due to commence on the new development for King George’s Playing Fields with the construction of a new pavilion building, splash pad and outdoor adventure play. Regular updates will be provided to members through the construction. A dedicated webpage has been set up to provide regular updates for the public. <https://www.brentwood.gov.uk/index.php?cid=2934>

## **Play Area Strategy**

The final designs for Hutton Recreation play area are in progress.

Works on the Junior Play area section at King George’s Play Area are due to start in January.

## **Let's Create Art Packs**

The Council has distributed over 200 art packs to children and young people receiving the packs will be referred by local community hubs and children's services, and will be either a young carer, from a low-income or single-parent family, or have a long-term health condition. This has been supported through a grant of £1000 from the Royal Opera House Bridge which has been match funded by Countryside and Usborne books to create 200 free arts resource packs for children and young people to increase access to creative learning opportunities. The packs will be stuffed with fantastic arts and crafts materials for children to make their own decorations or cards for Christmas and older recipients will benefit from high quality art pencils, pens, sketch books and paints.



## Appendix C

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 20 January 2021
<b>Subject:</b> Chairs Report for Environment, Enforcement and Housing Committee	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Maria Pearson	
<b>Report of:</b> Dan Cannon - Community Safety & CCTV Manager Greg Campbell - Director of Operations	<b>Public</b>
<b>Report Author:</b> Name: Greg Campbell, Director of Operations Telephone: 01277 312738 E-mail: <a href="mailto:greg.campbell@brentwood.gov.uk">greg.campbell@brentwood.gov.uk</a>  Name: Dan Cannon – Community Safety & CCTV Manager Telephone: 01277 312692 E-mail: <a href="mailto:daniel.cannon@brentwood.gov.uk">daniel.cannon@brentwood.gov.uk</a>	<b>For Information</b>

### **Electric Vehicle Charging Points**

The two Electric Vehicle Points located in the North Town Hall Car Park have now been commissioned and are fully active and working. They will be advertised on the appropriate EV Charging location sites week commencing from the 18<sup>th</sup> January 2021. Further the new EV Charging points located in the South Town Hall Car Park will begin installation in the next few weeks.

The procurement exercise to provide EV Chargers across other Council owned car parks will begin early in 2021

### **Services Generally During Coronavirus Restrictions**

The Country has again been working under further restrictions based on the Coronavirus outbreak. However at present all services have continued to be maintained and managed within the Depot, Parking and Environmental Health. This is further exceptional when you consider the increase in refuse that the Christmas period brings. Safety and preventative measures have been reviewed and re-enforced to ensure the staff are as safe while they provide essential and important front line services. We have had a number of staff who have tested positive and staff who have had to self isolate however staff have continued to work through the restrictions and the teams have worked admirably in these difficult circumstances and continue to deliver front line services in all refuse, street scene, parks & countryside, licensing and Environmental Health areas.

We continue to monitor the situation and will make adjustments and changes to ensure safety as and when necessary

### **Community Safety Partnership**

The Community Safety Partnership in conjunction with Essex Police & other partners have received over 800 gifts. The Community Christmas Giving Tree appeal was hugely successful in Brentwood and we were able to wrap and deliver presents to those children and families directly to their addresses and via local foodbanks.

Volunteers, Council staff and Police colleagues helped to wrap and sort the presents before being allocated to the most in need.

## Appendix D

<b>Committee(s):</b> Policy, Resources and Economic Development Committee	<b>Date:</b> 20 January 2021
<b>Subject:</b> Chairs report for Policy, Resources and Economic Development Committee	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Chris Hossack	
<b>Report of:</b>  Name: Jacqueline Van Mellaerts, Corporate Director of Finance & Resources Tel: 01277 312829 E-mail: <a href="mailto:jacqueline.vanmellaerts@brentwood.gov.uk">jacqueline.vanmellaerts@brentwood.gov.uk</a>  Name: Amanda Julian, Director of Law & Governance and Monitoring Officer Telephone: Tel: 01277 312705 E-mail: <a href="mailto:amanda.julian@brentwood.gov.uk">amanda.julian@brentwood.gov.uk</a>  Name: Phil Drane, Director of Planning and Economy Telephone: 01277 312610 E-mail: <a href="mailto:philip.drane@brentwood.gov.uk">philip.drane@brentwood.gov.uk</a>	<b>For Information</b>

### **Local Development Plan**

The LDP examination process continues with hearing sessions now underway. Week one of the hearing sessions (1-4 and 11 December), have considered matters and issues such as legal compliance (duty to cooperate), spatial strategy, Green Belt, housing and employment needs, and Dunton Hills Garden Village. Weeks two and three (2-5 and 9-12 February, with reserve days), will consider proposed allocated sites and development management policies. More information is available on the Council's website at [www.brentwood.gov.uk/examination](http://www.brentwood.gov.uk/examination)

### **Economic Development Strategy**

The Place Audit for Brentwood, Shenfield and Ingatestone was brought to Policy, Resources and Economic Development Committee in September. This follows an Economic Development Study completed in March 2020. Together, this helps provide baseline evidence on the local economy. Several recommendations are made in the documents and these will help inform the setting of priorities of our new Economic Development Strategy. Two business-led workshops have been held to discuss High Street priorities and parking, considering Brentwood, Shenfield and Ingatestone as local centres. Outputs from these workshops will help inform both the emerging Economic Development Strategy and work to commission a new Parking Strategy. Updates on these projects are brought to PRED Committee regularly.

## **Business Grants**

Following a decision at an emergency committee on the 18<sup>th</sup> November to approve the Council's Additional Restrictions Grant Scheme, following Governments announcement on 17 October, the following number of grants have been reviewed and applied for the different national schemes.

Applications - up to 06/12/2020	Open (Tier 2) Scheme	Closed (lockdown) Scheme	Discretionary (ARG) Scheme
Total received to date	<b>180</b>	<b>339</b>	<b>164</b>
Paid to date	<b>45</b>	<b>237</b>	<b>85</b>
Refused to date	<b>19</b>	<b>18</b>	<b>35</b>
Awaiting further information	<b>116</b>	<b>84</b>	<b>44</b>
Monetary value paid to date	<b>£29,140</b>	<b>£342,070</b>	<b>£108,000</b>

	Open Schemes		Closed Schemes						Christmas £1,000 for pubs
	Open (Tier 2) Scheme 1 07/10 to 04/11	Open (Tier 2) Scheme 2 02/12 to 15/12	Closed (lockdown) Scheme 1 05/11 to 02/12	Closed (lockdown) Scheme 2 02/12 to 15/12 (wet pub)	Closed Tier 3 16/12 to 19/12	Closed Tier 4 20/12 to 04/01	Closed new lockdown 05/01 to ongoing	New one off lockdown grants of £4k, £6k & £9k to retail, hospitality & leisure From 05/01	
Applications - up to 07/01/2021	247	106	425	7	130	375			17
Total received to date									
Paid to date	137	106	349	7	130	375			17
Refused to date	108	0	34	0	0	0			0
Awaiting further info	2	0	42	0	0	0			0
Monetary value paid to date	£122,588	£70,182	£605,760	£3,917	£35,291	£369,934			£17,000
Allocation	£197,876	£155,630	£1,224,252	£11,010				TBC	£32,000
Available spend	£75,288	£85,448	£213,267	£7,093				TBC	£15,000

	ARG Scheme		BAG Scheme
Applications - up to 04/01/2021	ARG Scheme 05/11 to 10/01 <b>Window 1</b>	ARG Scheme 11/01 to ongoing <b>Window 2</b>	Business Adaptations Grant (BAG)
Total received to date	<b>313</b>		<b>88</b>
Paid to date	<b>229</b>		<b>67</b>
Refused to date	<b>64</b>		<b>20</b>
Awaiting further info	<b>20</b>		<b>1</b>
Monetary value paid to date	<b>£347,000</b>		<b>£74,000</b>
Allocation	<b>£1,540,420</b>		<b>£132,000</b>
Available spend	<b>£1,193,420</b>		<b>£58,000</b>

### Canvass

The revised register of electors was published on 1<sup>st</sup> December in accordance with the new electoral reform and the necessity to change the canvass processes at short notice in response to the Covid situation.

Further work is continuing to maintain the accuracy of the register and ensure electors are registered and eligible to vote in this years elections.

### Elections 2021

Although nationally there are growing concerns about the safety of running elections and the door-to-door campaigning aspects during this pandemic. We are continuing with election preparations for the Police, Fire & Crime Commissioner, County Council, Local and Parish elections scheduled to take place on 6<sup>th</sup> May 2021. We will shortly be writing to electors assuring them that although polling stations will be a safe place to cast their vote, they do have the option to apply for a postal or proxy vote. Details will be provided on how they can quickly and easily apply for postal or proxy vote.

## **Local Government Association Seminar**

We have received details of a Local Government Association (LGA) event that might be of interest to your councillors, as well as anyone else planning to stand for election or campaign in 2021. The seminar is titled Local Elections 2021: Standing for election and campaigning in a COVID-19 context and taking place on Tuesday 26 January 2021 from 14.00 – 15.30. It is free to attend. There are speakers from the Electoral Commission as well as the Chairman of the LGA. Please feel free to forward the details to anyone who you think may be interested.

## **Constitution Working Group**

The Constitution Working Group have met on five occasions since April 2020, to ensure the Council Constitution is constantly reviewed.

At the last Ordinary Council on 2<sup>nd</sup> December 2020, Council approved the following insertions/amendments:-

- Changes required to the Planning Code/Chapter (Chapter 5, 5.2)
- Emergency Committee permanently with the Constitution (Standard Order 40)
- Proposed addition of paragraph 12.2 (e) and Proposed change to Chapter 4 Rules of Procedure
- Delegation(s) to staff – Telecommunications Networks

These approved insertions will be incorporated within the Constitution in the next few weeks and Members will be notified of the changes.

Further work is still on-going to the Planning Chapter and Part 4.1 (Rules of Procedure) and a report is before members this evening.

## **Remote Meetings**

With the country started its third lockdown on 5th January 2021. The committee/council meetings will continue remotely. However, officers will monitor this continuously.

## **Wedding Ceremonies**

Under the advice from Essex Registers, all wedding ceremonies that were to be held at the Town Hall have been cancelled, this took effect from 24<sup>th</sup> December 2020. Weddings will only be granted under exceptional circumstances.

## **Legal and Procurement Services**

The post of Legal and Procurement Services Manager was advertised with a closing date of the 4 January 2021. Shortlisting and invitations to attend for interview are to be sent shortly. The recruitment to the solicitor posts will also commence shortly.

## Information Governance

A new IG group of officers has been set up to ensure that policies, procedures and guidance documents are kept up to date and in line with legislation. There will be an inaugural meeting to set out a project plan.

Information governance is concerned with **how information is held, obtained, recorded, used and/or shared**. Information is used here as a collective term to cover terms such as data, documents, records and content (electronic and paper); and should be assessed against the 7 Data Ethics Principles.

It is essential that the Council has a robust information governance framework, to ensure that information, particularly personal and sensitive information is effectively managed with accountability structures, governance processes, documented policies and procedures, staff training and appropriate resources.

The Group will bring reports to PRED as necessary.

Information Governance Framework		
	Strategy (determines context and objectives)	Information Governance Strategy
Why do I need to do this?	Policies (identifies issues and scope)	Schedule of Information Governance Policies
What is required?	Controls (Management)	Part 5 of constitution (i.e. CSOs, Financial Regulations) ICO, Data Ethics Principles & Data Retention Policy & Disposal, Privacy Notices, ROPAs, Encryption & Passwords, Training, Roles and Responsibilities
How do I do it?	Procedures	Subject Access Requests, Data Protection Impact Assessments, Breach Log & Notifications, Data Sharing Protocols
	Guidelines	Data Ethics Workbook, Clear Desk Policy, Code of conduct, Schemes of Delegated Authority, Email Policy, Mobile Phone Policy



# Agenda Item 13

<b>Committee:</b> Ordinary Council	<b>Date:</b> 20 <sup>th</sup> January 2021
<b>Subject:</b> Notices of Motion	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew - Corporate & Democratic Services Manager	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew – Corporate & Democratic Services Manager Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For Decision</b>

## Summary

Four Notices of Motion have been submitted in accordance with Rule 3 in Part 4.1 of the Constitution - Council Procedure Rules and are listed in order of the date received.

### **Motion 1 Received 22/12/2020 @ 20:45**

**Proposer Cllr Laplain**

**Seconder Cllr S Cloke**

*This council resolves to immediately suspend, pending removal at the next update, item 8.3.11(c) of the constitution allowing members to call for agenda items, motions and amendments to be immediately put to a vote, requiring a vote upon that motion, and then completion of the subsequent substantive vote. This practice inhibits proper democratic debate whilst being counter productive and actually slowing proceedings.*

### **Motion 2 Received 04/01/2021 @ 07:10**

**Proposer Cllr Naylor**

**Seconder Cllr S Cloke**

*Brentwood Borough Council recognises that the EU-UK Trade and Cooperation Agreement, although better than No-Deal, puts Brentwood's People and its Businesses at a disadvantage compared to the arrangements we had under the Transition Agreement, and with European Union membership immediately prior.*

### **Motion 3 Received 04/01/2021 @ 07:10**

**Proposer Cllr Naylor**

**Seconder Cllr S Cloke**

*Brentwood Borough Council received from the Ministry of Housing, Communities and Local Government (Central Government) two payments of approximately £53,000 of EU Exit funding, which is included in an earmarked reserve of the Council's accounts that totals £153,000. This council resolves to specifically apply the grant funding to address local issues arising from the EU-UK Trade and Cooperation Agreement by March 2021, and to bring a report to PRED for agreement of where these funds will be spent.*

**Motion 4 Received 04/01/2021 @ 00:25**

**Proposer Cllr Aspinell**

**Seconder Cllr Mynott**

*The LGA's recent briefing on the Government's Provisional Finance Settlement states 'It is vital that the Government guarantees the financial challenge facing councils as a result of COVID-19 will be met in full, including funding for cost pressures and full compensation for lost income and local tax losses.'*

*This council resolves to send an official letter to Government requesting that Brentwood Borough Council receives full reimbursement for all costs over and above normal expenditure incurred due to the Covid crisis.*