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Agenda Supplement

Dear Councillor

ANNUAL COUNCIL - WEDNESDAY, 18TH MAY, 2022

I am now able to enclose, for consideration on Wednesday, 18th May, 2022 meeting of the Annual Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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|-----|--|
| 10. | <u>Committees and their Terms of Reference</u> (Pages 3 - 20) |
| 11. | <u>Political Balance, Allocation of Committee Seats and Committee Appointments</u>
(Pages 21 - 30) |
| 12. | <u>Committee Calendar for 2022-2023</u> (Pages 31 - 32) |
| 13. | <u>Members Allowances 2022-2023</u> (Pages 33 - 46) |

Yours sincerely

Chief Executive

Encs

14/05/22

The following Committees are established under all Council powers:-

- (1) Audit and Scrutiny Committee – 9 Members of the Council
- (2) Community, Environment, & Enforcement Committee – 9 Members of the Council
- (3) Dismissals Advisory Panel – 3 Independent Persons
- (4) Dismissal Appeals Committee – 9 Members of the Council
- (5) Emergency Committee – 10 Members of the Council
- (6) Housing Committee – 9 Members of the Council
- (7) Planning & Licensing Committee – 12 Members of the Council
- (8) Policy, Resources and Economic Development Committee – 9 Members of the Council
- (9) Staff Appointments Committee – 9 Members of the Council

The Terms of Reference of the above are set out as follows:-

CHAPTER 3 - POWERS AND DELEGATIONS

PART 3.1 - POWERS AND DUTIES OF THE COUNCIL AND ITS COMMITTEES

1. Matters Reserved to meetings of Council

1.1 Council

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

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

Through the Constitution, it delegates responsibility for carrying out many of the Borough Council's functions and policies to its committees. It also agrees the membership of the committees/sub-committees.

1.2 Functions of the Council

Only the Council will exercise the following functions:-

- (a) adopting and approving changes to the Constitution;
- (b) adopting and amending Contract Standing Orders and Financial Regulations;

- (c) agreeing and/or amending the terms of reference for committees and any joint committees, deciding on their composition chairmanship and making initial appointments to them;
- (d) appointing representatives to outside bodies and consultative groups unless the appointment has been delegated by the Council;
- (e) adopting and amending a members' allowances scheme under Chapter 6;
- (f) to elect the Leader and Deputy Leader of the Council;
- (g) to designate the Chairs and Vice Chairs of the Council;
- (h) adoption of the Code of Conduct for Members;
- (i) electoral and ceremonial matters relevant to the Council
- (j) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (k) setting the Council's Budget and Council Tax;
- (l) approving of the Council's Corporate Plan;
- (m) approving or adopting the Council policies and strategies which form the policy framework;
- (n) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (o) confirming the appointment or dismissal of the Chief Executive; Monitoring Officer; and Section 151 Officer;
- (p) to consider reports on cross cutting matters not expressly delegated to another committee;
- (q) all other matters which by law must be reserved to Council;

2. General Powers of Committees

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

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

- (a) To carry out the duties and powers of the Council within current legislation;
- (b) To comply with the Council's standing orders and financial regulations;

- (c) To operate within the budget allocated to the committee by the Council.
- (d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council
- (e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the committee;
- (f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (g) To consider and approve relevant service plans;
- (h) To determine fees and charges relevant to the committee;

2.1 Audit and Scrutiny Committee

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

It also acts as the Council's Overview and Scrutiny Committee with all the powers under Part 3 of the Local Authorities (Committee System) (England) Regulations 2012, and discharges the functions under section 19 of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters).

Without prejudice to the generality of the above, the terms of reference include those matters set out below.

Audit Activity

- (a) To approve the Annual Internal Audit risk based plan of work.
- (b) To consider the Head of Internal Audit's annual report and opinion, and a summary of Internal Audit activity and the level of assurance it can give over the Council's corporate governance, risk management and internal control arrangements.
- (c) To consider regular progress reports from Internal Audit on agreed recommendations not implemented within a reasonable timescale.

- (d) To consider the External Auditor's annual letter, relevant reports, and the report to those charged with governance.
- (e) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- (f) To consider the arrangements for the appointment of the Council's Internal and External Auditors.

Regulatory Framework

- 1) To review any issue referred to it by a Statutory Officer of the Council or any Council body.
- 2) To monitor the effective development and operation of risk management and corporate governance in the Council.
- 3) To monitor Council policies and strategies on an Annual basis
 - Whistleblowing
 - Money Laundering
 - Anti-Fraud and Corruption
 - Insurance and Risk Management
 - Emergency Planning
 - Business Continuity
- 4) To monitor the corporate complaints process.
- 5) To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- 6) To consider the Council's compliance with its own and other published standards and controls.
- 7) To monitor the Council processes in relation to
 - Freedom of Information
 - Member Enquires
- 8) To monitor the Council's Data Quality arrangements.
- 9) To monitor the Council's Member's Training arrangements.

Accounts

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

Scrutiny Activity

- 1) Responsible to scrutinise any matters as identified and agreed by the Policy, Resources and Economic Development Committee as set out in the Audit and Scrutiny Procedure rules.
- 2) To report to the Policy, Resources and Economic Development Committee or the appropriate committee on the progress of any matters that have been requested and to make relevant recommendations as required.
- 3) To establish working groups as appropriate (in line with agreed protocols) to undertake the scrutiny of any matters requested by the Policy, Resources and Economic Development Committee, including setting their terms of reference, the reporting arrangements, and to co-ordinate and review the work of the working groups.
- 4) Responsibility for the monitoring of Council service performance, including Performance Indicators and, Formal Complaints, making reports if required to any committee, or subcommittee, any officer of the Local Authority, or any joint committee on which the Local Authority is represented, or any sub-committee of such a committee.
- 5) To review and/or scrutinise decisions made, or other action taken, in connection with the discharge of any functions of the Local Authority.
- 6) To deal with those issues raised through the 'Councillor Call for Action' scheme in line with agreed protocols and procedures.
- 7) To review and/or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions.
- 8) To make reports or recommendations to the Local Authority with respect to the discharge by the responsible authorities of their crime and disorder functions.

2.2 Community, Environment and Enforcement Committee

1. The functions within the remit of the Community, Environment and Enforcement Committee are set out below:
2.
 - a) Community and Localism Initiatives including Assets of Community Value
 - b) The Voluntary Sector and community partnerships
 - c) Leisure and cultural initiatives.
 - d) Parish Council liaison
 - e) Health and Wellbeing
 - f) Grants to organisations/voluntary organisations.
 - g) Parks, open spaces, countryside, allotments
 - h) Environmental Health
 - i) Environmental nuisance and pollution controls
 - j) Other miscellaneous powers enforced by Environmental Health
 - k) Food safety and health and safety
3. To take the lead on community leadership and consultation with stakeholders.
4. Waste management, refuse collection and recycling
5. Environmental improvement schemes
6. The quality of the public realm, including street services and grounds maintenance
7. Highway matters that are the responsibility of the Borough Council (including highway closures under the Town Police Clauses Act 1847) and drainage
8. Public conveniences
9. Cemeteries and closed churchyards
10. Unlawful incursions

11. Operational facilities management (including maintenance) of the Town Hall and the Depot
12. Oversee and monitor the enforcement activities of the Council
13. Community Safety (including Community Safety Partnership) and CCTV
14. To implement working parties as required.

2.3 Dismissal Advisory Panel (to meet on demand) has the following functions:

- (a) To advise full Council on matters relating to the dismissal of the Chief Executive, the Chief Finance Officer and the Monitoring Officer

NB. This Panel comprises three independent persons who are not Members of the Council.

2.4 Dismissal Appeals Committee (to meet on demand) has the following functions:

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

2.5 Emergency Committee (to meet on demand in an emergency situations)

- (a) To enable the Council to function in emergency situations when fewer Councillors and /or Officers are available to attend meetings.
- (b) There will be no informal meetings of the Emergency Committee called.
- (c) The Committee will be convened, as required, as part of the Borough Council's Major Incidents and Emergency Planning process.
- (d) The decision to convene the Committee will be made by the Chief Executive through consultation with the Leader and after the Monitoring Officer has assessed the appropriateness of taking a particular report to the Committee. The decision will be recorded on the agenda. Only decisions that cannot be deferred will be taken to the Committee.
- (e) The agenda will include a Statement of Purpose for the Committee being convened and will record reasons why the decision being sought could not be

deferred, there will be a clear statement of what the Committee will be discussing.

- (f) Equally a proposal to stand down the Committee will be brought by the Chief Executive through consultation with the Leader to each Committee, and after obtaining such advice as necessary from the Monitoring Officer or their deputy as appropriate, such proposal to stand down the Committee will be decided by a majority vote of members at the meeting. All members of the council will also have the ability to influence the decision to stand down the committee. This can be undertaken by at least a third of councillors writing to the Chief Executive and the Monitoring Officer requesting the committee stands down. If this action is taken, then the reinstatement of the full committee structure will take place or an extraordinary council meeting can be called to debate any other emergency governance models required to enable the council to function lawfully.
- (g) Once the Committee is convened it can take on the role of the delegations afforded to the following:
 - (i) Council emergency functions only:
 - (i) Policy Resources & Economic Development
 - (ii) Housing
 - (iii) Community, Environment & Enforcement
 - (iv) Planning & Licensing
 - (v) Audit & Scrutiny Committee – ONLY with regard to the development of any emergency budget that may be required or to sign off the Annual Accounts if this could not be brought to Audit & Scrutiny Committee.
- (h) The intention, where possible, is to still undertake Planning & Licensing and Audit & Scrutiny Committees separately when required and appropriate. This will be decided by the Chief Executive through consultation with the Leader, and Monitoring Officer. These powers can be in full or in part.
- (i) All members sitting on the Committee will have the appropriate Planning and Licensing Training prior to the consideration of any item, relating to planning and licensing, being presented at this committee.
- (j) The Committee will only undertake decisions that relate to the budgetary function of the Council and if there is a statutory reason that an urgent decision is needed and the Audit & Scrutiny Committee cannot be convened for whatever reason.

- (k) Any decisions made by the Emergency Committee may be subject to the scrutiny of the Audit & Scrutiny Committee when it is next convened.
- (l) Officer delegations will remain as per the Constitution.
- (m) The Committee will also meet as required and consider the immediate strategic issues for the Borough Council arising from the incident, having received reports from the Chief Executive.
- (n) The Emergency Committee may authorise action affecting any of the Borough Council's functions if the urgency of the situation demands this. Subject to such action being reported, together with the Committee's reasons for acting, to the next meeting of Full Council.
- (o) The Committee must ensure that steps are being taken to provide, to members of the public and the press, regular communications on the incident and the action being taken.
 - (i) Members of the Committee are to be suitably briefed and prepared to make appropriate statements to the media if required in consultation with the Councils' communications manager.
 - (ii) The Committee should consider the longer-term implications arising from the incident and the impact these may have on the Borough Council.
 - (iii) Emergency Committee may not change the decisions made at the meeting of Extraordinary Council on 29 April 2020.
 - (iv) The minutes to any Emergency Committee will be published no later than three working days after the meeting.

Membership

- (a) The Committee shall consist of 10 named Members of the Borough Council, to include:
 - (i) Leader of the Council and Chair of Policy, Resources & Economic Development (who will be the Chairman of this Committee)
 - (ii) Vice-Chairman of Policy, Resources and Economic Development
 - (iii) The Chairman of the Housing Committee
 - (iv) The Chairman of the Community, Environment & Enforcement Committee
 - (v) The Leaders of all groups
 - (vi) Other named members to achieve a political balance
- (b) If there is a change of political balance on the Council, this composition will be recalculated by the Proper Officer and amended accordingly.

- (c) Succession arrangements are key and for clarity it is confirmed that formal delegations between Councillors will ensure continuity of the Committee. Substitutes for this committee will be submitted in writing by Group Leaders to the Chief Executive and Monitoring Officer ahead of the first meeting and updated for future meetings where necessary.

Quorum

- (a) The minimum number of members to transact any business shall be one third (3) of the committee.

2.6 Housing Committee

The functions within the remit of the Housing Committee are set out below:

- 1) Affordable housing
- 2) Housing strategy and investment programme where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee.
- 3) The Housing Revenue Account Business Plan where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee
- 4) Housing standards, homelessness, homelessness prevention and advice
- 5) Housing needs assessment
- 6) Housing benefit - welfare aspects
- 7) Private sector housing and administration of housing grants
- 8) Tenancy Management and landlord functions
- 9) To make recommendations to Policy, Resources and Economic Development Committee on the setting of rents for Council homes.

2.7 Planning & Licensing Committee

Planning

- (a) Town and Country Planning Act 1990 and any related legislation including: -
- (i) determination of planning applications;
 - (ii) enforcement of planning control;
 - (iii) waste land notices, purchase notices, etc.

- (b) Listed Buildings and Conservation Areas Act 1990:-
 - (i) determination of applications for Listed Buildings and Conservation Area consent;
 - (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities:-
 - (i) To guide the Council in setting its policy objectives and priorities.
 - (ii) To carry out the duties and powers of the Council under current legislation;
 - (iii) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.
 - (iv) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
 - (v) To consider and approve relevant service plans;
 - (vi) To comply with the standing orders and financial regulations of the Council;
 - (vii) To operate within the budget allocated to the committee by the Council.
 - (viii) To determine fees and charges relevant to the committee;

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

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

Licensing

- (a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
- (b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
- (c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.

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

2.8 Policy, Resources and Economic Development Committee

1. The committee shall consider all matters of policy and strategic importance to the Council including matters referred to it by other Committees and/or Chief Officers.

The function within the remit of the Policy, Resources and Economic Development Committee include all financial matters relating to the budget, (and for avoidance of doubt, being the superior Committee on all such matters including capital, revenue and the Housing Revenue Account (HRA) except where the law otherwise requires), and without prejudice to the generality of this, include the specific functions which are set out below.

Policy

Generally to review and oversee the co-ordination and governance of all functions of the Council. To undertake and discharge any functions in relation to strategic policies including periodic reviews of the policy framework adopted by full Council from time to time except where required by law to be undertaken elsewhere.

Finance

- 1) Financial Services
- 2) Contracts, commissioning, procurement
- 3) Legal services

- 4) Health and safety at work (in so far as it relates to the Council as an employer)
 - 5) Corporate communications and media protocols
 - 6) Corporate and Democratic services
 - 7) Human resources
 - 8) Information Communication Technology
 - 9) Revenues and Benefits
 - 10) Customer Services
 - 11) Assets (strategically)
2. Overall responsibility for monitoring Council performance.
 3. To formulate and develop relevant corporate policy documents and strategies including the Corporate Plan.
 4. To formulate the budget proposals in accordance with the Budget and Policy Framework, including capital and revenue spending, and the Housing Revenue Account Business Plan (including rent setting for Council homes), in accordance with the Council's priorities and make recommendations to Council for approval.
 5. To formulate the Council's Borrowing and Investment Strategy and make recommendations to Council for approval.
 6. To take decisions on spending within the annual budget to ensure delivery of the Council's priorities.
 7. To approve the write off of any outstanding debt owed to the Council above the delegated limit of £5,000.
 8. To determine capital grant applications.
 9. To make recommendations on the allocation and use of resources to achieve the council's priorities.
 10. To manage and monitor the Council approved budgets and allocation of resources.
 11. To provide the lead on partnership working including the joint delivery of services.
 12. To consider any staffing matters that are not delegated to Officers, such as proposals that are not contained within existing budgetary provision.
 13. To strategically manage any lands or property of the council and provide strategic property advice relating to the council's Housing Stock and without prejudice to the generality of this, to specifically undertake the following-

The Council's Asset Management Plan

- (a) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.
- (b) The granting variation renewal review management and termination of leases, licenses, dedications and easements.
- (c) Promoting the use of Council owned assets by the local community and other interested parties.
- (d) To manage any lands or property of the Council;
- (e) To include properties within the council's Asset Management Portfolio including Halls etc.
- (f) To take a strategic approach to asset management, ensuring that the use of all of the Council's Property assets achieves Value for Money and supports the achievement of the Council's corporate priorities.
- (g) To review the corporate Asset Management Plan annually.
- (h) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
- (i) Disposal of land surplus to the requirements of a council function.
- (j) Appropriation of land surplus for the requirements of another Council function.
- (k) Promote the use of Council owned assets by the local community and other interested parties where appropriate.
- (l) Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.
- (m) To receive updates reports on the Asset Development Programme and the work of the Asset Development Programme and Project Board.
- (n) To take a strategic approach to commercial activity, both existing and new, ensuring the Council realises revenue generation opportunities and supports the achievement of the Council's corporate priorities.
- (o) To agree and monitor the governance arrangements for any commercial and/or partnership arrangement with the Council.
- (p) Promoting a culture of entrepreneurialism and building the required skills and capacity.

- (q) To consider and approve business cases and commercial business plans for commercial activity.
- 14. To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countryside or regional economic development initiatives.

Economic Development

- (a) To lead, consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countryside or regional economic development initiatives.
- (b) To promote and encourage enterprise and investment in the Borough in order to maintain and sustain the economic wellbeing and regeneration of the area.
- (c) To develop climate where businesses and individuals can innovate, compete and contribute to the economic development and regeneration of the area; and excellence in local business.
- (d) To encourage the growth of existing businesses in the borough and access to the skills and training necessary to support them.
- (e) To develop and deliver a Borough wide initiative on apprenticeships.
- (f) To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.
- (g) To consult with the Chamber of Commerce, Federation of Small Businesses, residents and other interested third parties.
- (h) To maintain a special interest in promoting employment in the Borough.
- (i) To promote and encourage tourism and heritage.
- (j) Parking (off street parking provision in Council owned/leased off-street parking places).
- (k) Any matters relating to Crossrail.
- 15. To consider a report from the Monitoring Officer at the beginning of the Municipal Year, for the Committee to appoint the membership of the Constitution Working Group, in order for the Monitoring Officer to consult with such Members on the regular review of the Constitution documentation in accordance with Article 12 of the Constitution during the year.
- 16. To review and facilitate the transformation of delivery of services.

Transformation

- (a) To approve and facilitate the transformation of delivery of services.

Projects

- (a) To identify, monitor and oversee the implementation of those Corporate Projects that have been agreed by the committee to be major.

Scrutiny

- (a) To advise the Audit & Scrutiny Committee of any matters that require scrutiny in accordance with the Audit and Scrutiny Procedure Rules.
- (b) To receive requests and determine on matters that require scrutiny from any Committee in accordance with the Audit and Scrutiny Procedure Rules.
17. To consider any requests for sponsorship and use of the Council's Coats of Arms and logos.

2.9 Staff Appointments Committee (to meet on demand) has the following functions:

- (a) To appoint the following designated officers:

Chief Executive
Section 151 Finance Officer
Monitoring Officer

and such other posts as may be determined from time to time by Group Leaders in consultation with the Chief Executive.

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

Extract from Part 4.1 – Council Procedure Rules

18. Size

Committee	Membership	Quorum
Audit and Scrutiny	9	3
Community, Environment and Enforcement	9	3
Dismissal appeals of statutory officers*	9	3
Emergency*	10	3

Housing	9	3
Planning & Licensing	12	4
Policy, Resources and Economic Development	9	3
Staff appointments*	9	3

* These committees meet on demand.

19. **Appointments and Substitutes**

- 19.1 Following Annual Council, the Chief Executive on the nomination of Group Leaders, or in their absence, Deputy Group Leaders, appoints and removes members of committees and sub-committees.
- 19.2 A substitute Member may attend a particular meeting of the committee, and will have full powers of the committee Member, provided that the Member is a specified nominated substitute for that Member of the particular political group and in a list agreed by full Council. In the event that the absent committee Member is a non-aligned Member, the specified substitute for the Member can be any Member of the Council.
- 19.3 The names of substitutes shall be announced at the start of the meeting by the Chair. The substitution shall be for the whole meeting and cease at the end of the meeting.
- 19.4 Substitutes for regulatory committees must be drawn from Members who have received training in regulatory decision making. If a casual vacancy occurs on a regulatory committee it will not be filled until the nominated member has been trained.
- 19.5 All Members are entitled to attend the training provided for members of regulatory committees.

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Brentwood Borough Council POLITICAL BALANCE – May 2022

The Political Balance of the Council is:

POLITICAL GROUP	NO. OF MEMBERS	%	POLITICAL GROUP	NO. OF MEMBERS	NO. OF SEATS ON ORDINARY COMMITTEES
CONSERVATIVE	21 =	56.75	CONSERVATIVE	21	37 (37.45)
LIBERAL DEMOCRATS	14 =	37.83	LIBERAL DEMOCRATS	14	25 (24.96)
LABOUR	2 =	5.40	LABOUR	2	4 (3.56)
TOTALS	37	100			66

PROPOSAL:

	A & S C (9)*	C E & E C (9)**	DAC+ (9)	H C ++ (9)	P & L C# (12)	P, R & E D C ## (9)	SAC~ (9)	TOTAL 66
CON	5 (5.10)	5 (5.10)	5 (5.10)	5 (5.10)	7 (6.81)	5 (5.10)	5 (5.10)	37
LIB DEM	3 (3.40)	3 (3.40)	4 (3.40)	4 (3.40)	4 (4.53)	4 (3.40)	3 (3.40)	25
LAB	1 (0.48)	1 (0.48)	0 (0.48)	0 (0.48)	1 (0.64)	0 (0.48)	1 (0.48)	4
	9	9	9	9	12	9	9	66

*A & S C denotes Audit & Scrutiny Committee

**C E & E C denotes Community, Environment and Enforcement Committee

+ D A C denotes Dismissal Appeals Committee (*Only meets on demand*)

++ H C denotes Housing Committee

P & L C denotes Planning and Licensing Committee

P, R & ED C denotes Policy, Resources and Economic Development Committee
~ S A C denotes Staff Appointments Committee (*Only meets on demand*)

Section 15 (5) principles

Section 15 (5) of the Local Government and Housing Act 1989 states:-

'The principles mentioned in subsection (4) above, in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority, are –

- (a) that not all the seats on the body are allocated to the same political group;
- (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.'

Ordinary Committees do not include sub-committees or advisory committees or advisory sub-committees.

NOMINATIONS TO SEAT ALLOCATIONS & APPOINTMENTS

(Council must give effect to the wishes of the political groups as regards the nominations for the seats allocated to those political groups).

Audit & Scrutiny Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)
Chair*:	Cllr Tanner		
Vice-Chair**:	Cllr Hirst		
	Cllr Murphy	Cllr Fulcher	Cllr G Barrett
	Cllr Wagland	Cllr Haigh	
	Cllr Slade	Cllr Sankey	
Approved Substitute	Cllr Wiles	Cllr Cloke	Cllr Dr T Barrett
Approved Substitute	Cllr Reed	Cllr M Cuthbert	
Approved Substitute	Cllr Jakobsson		

Community, Environment and Enforcement (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)
Chair*:	Cllr Russell		
Vice-Chair**	Cllr Gelderbloem		
	Cllr Barber	Cllr Naylor	Cllr Dr T Barrett
	Cllr Slade	Cllr Davies	
	Cllr Reed	Cllr Laplain	
Approved Substitute:	Cllr White	Cllr Kendall	Cllr G Barrett
Approved Substitute:	Cllr Murphy	Cllr Haigh	
Approved Substitute	Cllr Wagland		

Dismissals Appeal Committee (9)	Conservative (5)	Liberal Democrat (4)	Labour (0)
Chair*:	Cllr Hossack		
Vice-Chair**:	Cllr Poppy		
	Cllr Jakobsson	Cllr Aspinell	
	Cllr Parker	Cllr Mynott	
	Cllr Gelderbloem	Cllr M Cuthbert	
		Cllr Davies	
Approved Substitute:	Cllr Bridge	Cllr N Cuthbert	
Approved Substitute:	Cllr Hirst	Cllr Haigh	
Approved Substitute:	Cllr Wagland		

Housing Committee (9)	Conservative (5)	Liberal Democrat (4)	Labour (0)
Chair:	Cllr White		
Vice-Chair:	Cllr Pearson		
	Cllr Heard	Cllr Davies	
	Cllr McLaren	Cllr Cloke	
	Cllr Hones	Cllr Kendall	
		Cllr N Cuthbert	
Approved Substitute:	Cllr Slade	Cllr Lewis	
Approved Substitute:	Cllr Poppy	Cllr Fryd	
Approved Substitute:	Cllr Hossack		

Planning & Licensing Committee (12)	Conservative (7)	Liberal Democrat (4)	Labour (1)
Chair*:	Cllr Bridge		
Vice-Chair**:	Cllr Barber		
	Cllr Tanner	Cllr Mynott	Cllr Dr T Barrett
	Cllr Jakobsson	Cllr Fryd	
	Cllr Gelderbloem	Cllr M Cuthbert	
	Cllr Wiles	Cllr Laplain	
	Cllr Parker		
Approved Substitute:	Cllr Hones	Cllr N Cuthbert	Cllr G Barrett
Approved Substitute:	Cllr Heard	Cllr Sankey	
Approved Substitute:	Cllr Pearson		

Policy, Resources and Economic Development Committee (9)	Conservative (5)	Liberal Democrat (4)	Labour (0)
Chair*:	Cllr Hossack		
Vice-Chair**:	Cllr Poppy		
	Cllr White	Cllr Lewis	
	Cllr Russell	Cllr Mynott	
	Cllr Pearson	Cllr Kendall	
		Cllr Naylor	
Approved Substitute:	Cllr Parker	Cllr Aspinell	
Approved Substitute:	Cllr McLaren	Cllr Fryd	
Approved Substitute:	Cllr Gelderbloem		

Staff Appointments Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)
Chair*:	Cllr Hossack		
Vice-Chair**:	Cllr Poppy		
	Cllr Jakobsson	Cllr Cloke	Cllr G Barrett
	Cllr Gelderbloem	Cllr Laplain	
	Cllr Tanner	Cllr Fryd	
Approved Substitute:	Cllr Bridge	Cllr Sanky	Cllr Dr T Barrett
Approved Substitute:	Cllr Russell	Cllr Kendall	
Approved Substitute:	Cllr Barber		

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Notice of Meetings 2022/2023

LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

NOTICE IS HEREBY GIVEN that the following meetings, open to the Public and Press, will be held at the Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY

	Day	Time	May 2022	June 2022	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023	April 2023	May 2023
Annual Council	Wednesday	19:00	18th												17th
Ordinary Council	Wednesday	19:00		22nd	13th			12th		7th			1 st (Budget) and 15th (if required)		
Audit and Scrutiny Committee	Tuesday	19:00			19th		13 th		15th		24th		7th		
Community, Environment & Enforcement Committee	Monday	19:00		20th			19th			19th			13th		
Housing Committee	Monday	19:00		13th			12th			12th		27th			
Planning & Licensing Committee	Tuesday	19:00		28th	26th		20th	18th	22nd	20th	17th	21st	14th		
Policy, Resources and Economic Development Committee	Wednesday	19:00		15th			14th		23rd			8th (Budget)	8 th (if required)		

Dated this 18th May 2022

J. Stephenson
HEAD OF PAID SERVICES

(Proper Officer for the purposes of Part VA of the Act)

Holiday Calendar 2022/2023



	2022 May	June	July	August	September	October	November	December	2023 January	February	March	April	May
1		School holidays		School holidays					Bank holiday				Bank holiday
2	Bank Holiday	School holidays & Bank holiday		School holidays		Conservative Party Conference			Bank holiday				
3		School holidays & Bank holiday		School holidays		Conservative Party Conference			School holidays			School holidays	
4				School holidays		Conservative Party Conference			School holidays			School holidays	Elections
5	Elections			School holidays		Conservative Party Conference						School holidays	
6												School holidays	
7												Bank Holiday	
8				School holidays									
9				School holidays									
10				School holidays								Bank Holiday	
11				School holidays								School holidays	
12				School holidays								School holidays	
13										School holidays		School holidays	
14										School holidays		School holidays	
15				School holidays						School holidays			
16				School holidays						School holidays			
17				School holidays	Liberal Democrats Conference					School holidays			
18				School holidays	Liberal Democrats Conference								
19				School holidays	Liberal Democrats Conference								
20					Liberal Democrats Conference								
21								School holidays					
22			School holidays	School holidays				School holidays					
23				School holidays				School holidays					
24				School holidays	Labour Party Conference	School holidays							
25			School holidays	School holidays	Labour Party Conference	School holidays							
26			School holidays	School holidays	Labour Party Conference	School holidays		Bank holiday					
27			School holidays		Labour Party Conference	School holidays		Bank holiday					
28			School holidays		Labour Party Conference	School holidays		School holidays					
29			School holidays	Bank Holiday				School holidays					Bank holiday
30	School holidays			School holidays				School holidays					School holidays
31	School holidays			School holidays				School holidays					School holidays

Council: Annual Council	Date: 18 May 2022
Subject: Members Allowances 2022/23	Wards Affected: All
Report of: Jacqueline Van Mellaerts, Corporate Director (Finance and Resources)	Public
Report Author/s: Name: Jacqueline Van Mellaerts E-mail: Jacqueline.vanmellaerts@brentwood.gov.uk	For Decision

Summary

The Council operates a Members' Allowances Scheme which is reviewed annually by the Independent Remuneration Panel (IRP). The Members' Allowance Scheme is Chapter 6 of the Council's Constitution, the IRP have reviewed the current scheme and have made recommendations for the 2022/23 Municipal Year and is attached in Appendix A.

Following the IRP meeting held on 29th November 2021, the IRP report has recommended that member allowances for 2022/23 remain unchanged.

Recommendation(s)

Members are asked:

R1. That the report of the Independent Remuneration Panel at Appendix A be noted.

R2. That the Members Allowances at Appendix B be agreed and delegated authority is given to the Monitoring Officer to amend the constitution.

Main Report

Introduction and Background

1. The Local Authorities (Members Allowances) (England) Regulations 2003 require councils to establish an Independent Remuneration Panel. The Council cannot alter or update its existing Scheme of Members Allowances without first considering a report from the Independent Remuneration Panel.
2. Local authority elected Members are entitled to receive allowances to compensate them for the role that they do and the responsibilities they assume

on behalf of the communities they serve. A 'Basic Allowance' is paid to all Members of the authority to reflect the roles that they undertake. A 'Special Responsibility Allowance', is paid to those Members that have particular responsibilities within the Council's constitutional arrangements.

3. No additional subsistence or travel allowances are paid. However, Annual Council 2013 resolved that 'reasonable expenses' for external training and conferences are reimbursed, as required, and only with advance agreement of the Head of Paid Services.
4. The timing and process of the IRP's annual review was discussed in 2017/18. It was agreed that it would be more productive and useful to undertake the review alongside the Council's budget setting process in order to enable Members to scrutinise and consider the IRP's recommendations as part of their budget deliberations and decisions. This timing and process was put into place during 2018/19 has continued since then.
5. The IRP reviewed a Parental Leave Policy and conditions for a carers allowances scheme and was subsequently included within the members allowance scheme in 2019/20.

Issue, Options and Analysis of Options

6. The IRP held a meeting on the 29th November 2021 to discuss the Member's Allowance Scheme which is reviewed annually and set out in Chapter 6 of the constitution.
7. The meeting was held in November so any proposals can be in line with the budget cycle.
8. The analysis of options by the IRP is set out in detail in Sections 10 to 13 of their report as attached at Appendix A.
9. The IRP were mindful of the function which Councillors perform in protecting and enhancing local democracy by providing representation on issues of local concern and ensuring that the Council remains accountable to the community which it serves. Accordingly, the IRP followed the same principles as in previous years:
 - the need for Councillors to come from a wide range of backgrounds
 - the necessity to ensure some recompense for the time and effort spent in serving the community, whilst recognising that the work of Councillors should include a substantial voluntary contribution

- recognition of the time and resource demands of training and development, as well as other activities: and
- whilst recognising that individual Members could choose not to take their allowance in whole or part, the IRP were keen to ensure that the scheme should encourage and support local democracy by ensuring that personal financial constraints would not be a bar to office.

10. Additional factors considered by the IRP in preparing its report to Annual Council 2022 included:

- Budget pressures on the Council and the need for affordability.
- The impact of Covid-19 on the Council and its staff and Members.
- The Rochford/Brentwood Partnership

11. Various options were discussed, keeping in mind the principles above. The key options were for member allowances to:

- Remain unchanged
- Increase by 2% in line with provisional increases for staff

12. Following debate and discussion It was agreed that the preferred option was that all allowances a) remain unchanged.

13. Subsequently following the elections on the 5th May, it has been proposed to amend the Committee structure, by changing the terms of reference to two of the Committee. The number of the Committees has not been changed to ensure the member allowance budget still remains within £275,800 as suggested by the IRP. The proposed Committee structure for 2022/23 is as follows:

- Full Council (Annual, Ordinary & Extraordinary)
- Planning & Licensing Committee
- Audit & Scrutiny Committee
- Policy, Resources and Economic Development Committee
- Community, Environment & Enforcement Committee
- Housing Committee

14. The final proposed Member Allowances 2022/23 including the Mayor and Deputy Mayor Allowances, along with the amended Committee structure is attached within Appendix B.

Reasons for Recommendation

15. The Local Authorities (members Allowances) (England) Regulations 2003 require that before Council can determine its Members Allowances for the forthcoming Municipal Year, it must consider a report from the Independent Remuneration Panel

Consultation

16. The Independent Remuneration Panel held a meeting on the 29th November 2021 with officers and the leader. Minutes were taken, and the Panel considered a series of contextual information which is set out within their report.

References to Corporate Plan

17. Meets objective of the corporate plan by ensuring the Council is managed efficiently and effectively.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Director of Corporate Resources

Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

18. The proposed Members Allowances as outlined in Appendix B has been included within the 2022/23 budget.

Legal Implications

Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer

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

19. The statutory requirements on the Council are set out in the body of the report and the recommendations sets out the necessary steps to ensure compliance.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning and Economy)

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

20. There are no direct economic implications from this report.

Background Papers

21. Annual reports of the Independent Remuneration Panel to Brentwood Borough Council are publicly available at www.brentwood.gov.uk

Appendices to this report

Appendix A: Report of the Independent Remuneration Panel re. 2022/23

Appendix B: Schedule of proposed Members Allowances for 2022/23

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Brentwood Borough Council

Members Allowances Scheme 2022/23

Report of the Independent Remuneration Panel

November 2021

Introduction

1. This report presents the findings of the Independent Remuneration Panel (IRP) and our recommendations for the scheme for 2022/23.

Background

2. The Local Authorities (Members Allowances) (England) Regulations 2003 require councils to establish an *Independent Remuneration Panel*. The Council cannot alter or update its existing Scheme of Members Allowances without first considering a report from the Independent Remuneration Panel.
3. Local authority elected Members are entitled to receive allowances to compensate them for the role that they do and the responsibilities they assume on behalf of the communities they serve. A 'Basic Allowance' is paid to all Members of the authority to reflect the roles that they undertake. A 'Special Responsibility Allowance', is paid to those Members that have particular responsibilities within the Council's constitutional arrangements.
4. No additional subsistence or travel allowances are paid. However, Annual Council 2013 resolved that 'reasonable expenses' for external training and conferences are reimbursed, as required, and only with advance agreement of the Head of Paid Service.
5. The timing and process of the IRP's annual review was discussed in 2017/18. It was agreed that it would be more productive and useful to undertake the review alongside the Council's budget setting process in order to enable Members to scrutinise and consider the IRP's recommendations as part of their budget deliberations and decisions. This timing and process was put into place during 2018/19 and has continued since then.
6. In 2019/20 the IRP also reviewed a Parental Leave Policy and conditions for a carers allowances scheme and was subsequently included within the members allowance scheme in 2019/20.

The Independent Remuneration Panel

7. The Independent Remuneration Panel met on the 29th November 2021 to discuss Member Allowances Scheme for 2022/23 and comprised of:
 - Mr Michael Hawkins (Chair)
 - Mr Steve Marsh
 - Mr John Boylin (feedback by email)

Existing Scheme

8. In 2021/22 the member allowances were rounded down to the nearest £50, and new special responsibility allowances were introduced for the Chair and Vice Chair of Ordinary Council.

Political Structure

9. The Council consists of 37 members.
9. The current committee structure of the Council, as at November 2021, consists of the following:
 - Full Council (Annual, Ordinary & Extraordinary)
 - Planning & Licensing Committee
 - Audit & Scrutiny Committee
 - Policy, Resources and Economic Development Committee
 - Environment, Enforcement and Housing Committee
 - Community and Health Committee

Our Approach and considerations

10. The deliberations of the IRP were informed by:
 - The Council's current committee structure, and that there are currently no proposed changes to the structure for 2022.
 - Benchmarking information from Shire Districts in Essex.
 - Desktop research and contextual information regarding the Council's Medium Term Financial Strategy.
 - Previous reports and recommendations from the IRP.
11. The IRP were mindful of the function which Councillors perform in protecting and enhancing local democracy by providing representation on issues of local concern and ensuring that the Council remains accountable to the community which it serves. Accordingly, the IRP followed the same principles as in previous years:
 - The need for Councillors to come from a wide range of backgrounds
 - The necessity to ensure some recompense for the time and effort spent in serving the community, whilst recognising that the work of Councillors should include a substantial voluntary contribution

- Recognition of the time and resource demands of training and development, as well as other activities: and
- Whilst recognising that individual Members could choose not to take their allowance in whole or part, the IRP were keen to ensure that the scheme should encourage and support local democracy by ensuring that personal financial constraints would not be a bar to office.

12. Additional factors considered by the IRP in preparing its report to Annual Council 2022 included:

- Budget pressures on the Council and the need for affordability.
- The impact of Covid-19 on the Council and its staff and Members.
- The Rochford/Brentwood partnership

13. The options considered by the IRP included:

Option	Analysis
That members allowances for 2022/23 remain unchanged.	<ul style="list-style-type: none"> • Members Allowances had increased by 1% in 2019/20, the first increase since 2014/15. • The Mayor and Deputy Mayor received an increase in 2019/20. • In 2021/22 members allowances were rounded down, along with the introduction of new SRAs for Chairs of Ordinary Council. • New Committee arrangements had been adopted in 2013, 2014, 2015, 2016, 2017 and 2018, 2019. • There is currently proposed to be no change to the number of committees in 2022/23.
That members allowances for 2022/23 be increased in line with employees (option of 2% was considered)	<ul style="list-style-type: none"> • Staff received a 2% pay increase in 2021/22. • The MTFP includes a provisional 2% increase for staff for 2022/23.

Other Matters considered

14. It was noted that some other Council's set a Basic Allowance and then calculate their Special Responsibility Allowances as a proportion of the Basic amount, which could be reviewed for future modelling.

15. It was also discussed to review Rochford District Council member allowances and apply to them Brentwood's member structure for comparison and future discussion.

16. To continue to review Special responsibility allowances benchmarking across other Essex authorities for comparable data, including carer allowances and opposition allowances and ensure they are proportionable.

17. To review the Housing Revenue Account recharges for member allowances in 2022/23 to ensure the Housing is apportioned correctly.

Recommendations

15. After careful consideration of all the information provided the Independent Remuneration Panel recommend the following, with the total budget being no more than £275,800.

(i) That members allowances for 2022/23 remain unchanged as follows

<u>Members Allowances 2022-23</u>	Recommendation 2022-23
Basic Allowance	6,000
Leader	13,200
Deputy Leader	6,350
Leader of Main Opposition	5,350
Leader of Minority Opposition	2,650
Ordinary Council Chair	1,750
Ordinary Council Vice Chair	500
Committee Chair(s)	3,550
Committee Vice(s)	950

(ii) With Mayoral allowances for 2022/23 to also remain unchanged as follows:

<u>Members Allowances 2022-23</u>	Recommendation 2022-23
Mayor	4,500
Deputy Mayor	1,500

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<u>Members Allowances 2022-23</u>	<u>Only One SRA Permitted</u>	<u>Number</u>	<u>Allowances 2021-22</u>	<u>Proposed at NO CHANGE - Allowances 2022-23</u>	<u>Total Recommendation 2021-22</u>	<u>Total Recommendation 2022-23</u>	<u>Variance</u>
Basic Allowance		37	6,000.00	6,000.00	222,000.00	222,000.00	0.00
Leader		1	13,200.00	13,200.00	13,200.00	13,200.00	0.00
Deputy Leader		1	6,350.00	6,350.00	6,350.00	6,350.00	0.00
Leader of Main Opposition		1	5,350.00	5,350.00	5,350.00	5,350.00	0.00
Leader of Minority Opposition		1	2,650.00	2,650.00	2,650.00	2,650.00	0.00
Chair Ordinary/Extraordinary/Annual Council		1	1,750.00	1,750.00	1,750.00	1,750.00	0.00
Chair of Audit & Scrutiny Committee		1	3,550.00	3,550.00	3,550.00	3,550.00	0.00
Chair of Community, Environment & Enforcement Committee		1	3,550.00	3,550.00	3,550.00	3,550.00	0.00
Chair of Housing Committee		1	3,550.00	3,550.00	3,550.00	3,550.00	0.00
Chair of Planning and Licensing Committee		1	3,550.00	3,550.00	3,550.00	3,550.00	0.00
Chair of Policy, Resources and Economic Development Committee	Leader of the Council	0	3,550.00	3,550.00	0.00	0.00	0.00
Vice Chair Ordinary/Extraordinary/Annual Council		1	500.00	500.00	500.00	500.00	0.00
Vice Chair of Audit & Scrutiny Committee		1	950.00	950.00	950.00	950.00	0.00
Vice Chair of Community, Environment & Enforcement Committee		1	950.00	950.00	950.00	950.00	0.00
Vice Chair of Housing Committee		1	950.00	950.00	950.00	950.00	0.00
Vice Chair of Planning and Licensing Committee		1	950.00	950.00	950.00	950.00	0.00
Vice Chair of Policy, Resources and Economic Development Committee	Council	0	950.00	950.00	0.00	0.00	0.00
<u>Sub-total</u>					<u>269,800.00</u>	<u>269,800.00</u>	<u>0.00</u>
Mayor Duties		1	4,500.00	4,500.00	4,500.00	4,500.00	0.00
Deputy Mayor Duties		1	1,500.00	1,500.00	1,500.00	1,500.00	0.00
<u>Sub-total</u>					<u>6,000.00</u>	<u>6,000.00</u>	<u>0.00</u>
<u>Total</u>					<u>275,800.00</u>	<u>275,800.00</u>	<u>0.00</u>
<u>Total Member Allowance Budget</u>					<u>275,800.00</u>	<u>275,800.00</u>	<u>0.00</u>

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