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SUPPLEMENTARY AGENDA 2

Dear Councillor

ORDINARY COUNCIL - WEDNESDAY, 22ND JUNE, 2022

I am now able to enclose, for consideration on Wednesday, 22nd June, 2022 meeting of the Ordinary Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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| 9. | <u>Chair's Reports and Members Written Questions (Pages 3 - 6)</u> |
| 11. | <u>Appointment of representatives on Outside Organisations 2022/2023 (Pages 7 - 12)</u> |

Revised Appendix A and B

Yours sincerely

Chief Executive

Encs

16/06/22

Agenda Item 9

Committee: Ordinary Council	Date: 22 nd June 2022
Subject: Chairs' reports and Members' Written Questions	Wards Affected: All
Report of: Claire Mayhew – Corporate Manager (Democratic Services)	Public
Report Author/s: Name: Claire Mayhew - Corporate Manager (Director Services) Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Information

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

Any Member may ask a Chair a written or oral question on

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

Due to that no meetings have taken place before the publication of this agenda. No Chair reports have been included within the agenda.

However, Members are allowed for written and oral questions this will not exceed 60 minutes without leave of the Mayor.

Two written questions have been received from Cllr Dr Barrett, as follows:

To the Chair of Planning and Licensing and Audit and Scrutiny.

It was disappointing to see on the front page of our local newspapers that taxpayers money was required to compensate a resident for the council failing to enforce a planning condition decided in committee due to administrative errors. It was further disappointing to see this was resolved through the local ombudsman because the council's complaints procedure failed to act. What measures are put in place to stop this happening again?

Response

The situation and outcome are disappointing. This related to a planning application at 59 Crown Street, Brentwood, reference 18/00309/FUL. A complaint was received from a neighbouring resident regarding details of the screening provided as part of the

development scheme. The complaint was investigated thoroughly in line with the councils' formal complaints policy. A clear outcome was provided explaining certain technical complexities, such as the difference between the screening that had been provided and the limitations of taking enforcement action for things outside the decision notice approval. The complainant requested that the local government ombudsman review the case, as is their right.

The ombudsman conducted an assessment and concluded that the council was at fault. This was because plans for the balustrade and planters, which the complainant referred to, were not included in the initial decision notice. This meant that enforcement action to implement them could not be taken. Similarly, though the balustrade and planters were included in the plans for the conditions discharge that related to the privacy screen (reference 18/00309/COND/3), this did not relate to the matters of the condition, and though not within the formal decision notice, this would not have given the council the basis to enforce against the lack of these features.

The council reviewed the ombudsman decision. It was concluded that there were no grounds for challenge according to guidance, in terms of matters of law such as evidence inaccuracies or new information affecting the decision. Any legal challenge would have cost implications.

On review, there was an administrative error that meant the council could not require the applicant to adhere to the balcony drawings (other than the privacy screen), which impacted upon the complainant's amenity. As a result, a formal apology was issued and £1,000 compensatory payment made to enable the installation of additional planting to screen the outlook from the balcony. Additional training has been provided for staff undertaking administration tasks, such as issuing decision notices, so that a repeat of this situation can be avoided in future.

The council makes budgetary provision for losses, such as in the case of appeals or compensation. The council as local planning authority processes and determines more than 1,000 applications over the course of a year on average, a trend that has been increasing. This includes financial income through various application fees from developers, which inform budgetary projections to offset any losses. As is regularly reported to members, the council ranks highly nationwide on application performance. Within that data there are always lessons to be learned on improvements, whether by the council or by applicants. As such, reports are issued to members on appeal outcomes and enforcement action, among other things. More recently the use of conditions has been identified as being an area for improvement, in terms of their use and wording in line with national guidance.

The outcome in this situation falls short of the standards we expect. The apology and compensation were offered as a result. Lessons are being learned to continually improve the service.

This is a recent decision and so has not yet been reported to Audit & Scrutiny Committee, which will happen in due course once reviewed by the Formal Complaints and Performance Indicator Member Working Group.

To the Chair of Community, Environment, and Enforcement

Residents with access needs have reported that the mobility scooter service in the multi-storey car park has ceased taking the scooter to and from vehicles, meaning to use the service you need an additional abled person. Many residents with access requirements who relied on this service can no longer access Brentwood High St as a consequence of this change. Why and when was this change made and can it be reversed?

Response

The process for hiring a mobility scooter was initially changed in October 2021. The scheme has been running for a number of years prior to this however it became apparent that we could not always guarantee a member of staff on site or at the right location to assist. The revised process was introduced to ensure the scooters were accessible to requestees and not limited by staff on site and the new scheme is in line with other schemes that operate mobility scooters. The scheme is assisted as it is next to the Disabled Access parking bays located on the same floor as the scooter. This we feel makes the scooters accessible and will only ever be a short distance from anyone's vehicle. Further we have discussed the scheme with the Brentwood Access Group.

As said above we have adopted a scheme that other providers use and appears to have worked well. We provide ready to use scooters that are available on demand.

Moving forward the new scheme will not be limited by core hours of employees and will be available to use during the same operating hours of the car park. I can also confirm that the scheme will be investing in the procurement of new class2 mobility scooter(s)

We are looking to install the revised service and scooter(s) later this summer however the Council will continue to monitor the situation and the service.

Appendices to this report

None

Appointments to Outside Organisations

APPENDIX A

Organisation	Previous Nominations for 2021/2022	Proposed Nominations for 2022/2023
Active Brentwood	Cllr Poppy	Cllr Poppy
Armed Forces Covenant Champion	Cllr Hossack	Cllr Hossack
Brentwood Access Group	Cllr Cloke	Cllr Mrs Slade
Brentwood Arts Council	Cllr Mynott (LD)	Cllr Mynott (LD)
Brentwood Community Safety Partnership	Cllr Barber	Cllr Barber
Brentwood Council for Voluntary Service	Cllr Reed Cllr Dr Barrett (LAB)	Cllr Reed Cllr Dr Barrett (LAB)
Brentwood Business Partnership	Cllr Mrs Hones Cllr Hossack Cllr Mrs Pearson Cllr Barrett (LAB) Cllr Kendall (LD)	Cllr Poppy Cllr Hossack Cllr Mrs Pearson Cllr Barrett (LAB) Cllr Kendall (LD)
Brentwood Community Football Alliance	Cllr Hossack	Cllr Hossack
Brentwood Theatre Trust	Cllr Fulcher (LD) Cllr Bridge	Cllr Fulcher (LD) Cllr Poppy
Brentwood/Landkreis Roth Town Twinning Association	Cllr Miss Sanders (Mayor –President) Cllr Reed (Deputy Mayor – Vice-president) Cllr Naylor (LD) Cllr Mrs Hones	Cllr Miss Sanders (Mayor-President) Cllr Barrett (Deputy Mayor – Vice-president) Cllr Mrs Hones Cllr N Cuthbert (LD)
Brentwood/Montbazon Town Twinning Association	Cllr Miss Sanders (Mayor – President) Cllr Reed (Deputy Mayor – Vice-president) Cllr Russell Cllr Laplain (LD)	Cllr Miss Sanders (Mayor-President) Cllr Barrett (Deputy Mayor – Vice-president) Cllr Russell Cllr Laplain (LD)
Conservators of Shenfield Common	Cllr Barrett (LAB) Cllr Dr Barrett (LAB) Cllr Wiles	Cllr Barrett (LAB) Cllr Dr Barrett (LAB) Cllr Wiles
ECC Local Highways Panel	Cllr Cloke Cllr Barber Cllr Kendall (LD) Cllr Dr Barrett (LAB)	Cllr McLaren Cllr Barber Cllr Kendall (LD) Cllr Dr Barrett (LAB)
Essex Police and Crime Panel	Cllr Barber	Cllr Barber
Essex Community Foundation	Cllr Hirst	Cllr Hirst
Essex County Traveller Unit	Cllr Parker	Cllr Parker

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Agenda Item 11

Headley Common Trustees (4 year term)	Mrs Jill Hubbard Mr David Tee Mr Michael Wild Mr Giles Murray	Mrs Jill Hubbard Mr David Tee Cllr M Cuthbert Cllr Laplain
Health and Safety Committee	Cllr White	Cllr White
Health and Wellbeing Board	Cllr Miss Sanders Cllr Mrs Davies (LD)	Cllr Miss Sanders Cllr Mrs Davies (LD)
Herongate Village Hall Management Committee	Cllr Mrs Tierney	Cllr Mrs Murphy
Howard Memorial Trust	Cllr Mrs Pearson	Cllr Mrs Pearson
Hutton Charities	Cllr Hirst Cllr Tanner	Cllr Hirst Cllr Tanner
IAA Member Working Group	Cllr Parker	Cllr Parker
Local Government Association	Cllr Hossack	Cllr Hossack
SNAP	Cllr Mrs Gelderbloem	Cllr Mrs Gelderbloem
South Essex Parking Partnership Representative	Cllr Cloke	Cllr Parker
South Weald Parish Hall Management Committee	Cllr McLaren Cllr Naylor (LD)	Cllr McLaren Cllr Naylor (LD)
South East Children's Partnership Board	Cllr Mrs Pound	Cllr Heard
Brentwood Children's Advisory Board	Cllr Mrs Pound	Cllr Heard
Taxi Trade Consultative Group	Cllr Cloke Cllr Bridge Cllr Mynott (LD)	Cllr Barber Cllr Bridge Cllr Fryd (LD)
Tenants' Talkback	Cllr Mrs Pearson (Chair of Environment, Enforcement and Housing) Cllr Mrs Hones (Vice Chair of Environment, Enforcement and Housing) Cllr Fryd (LD)	Cllr White (Chair of Environment, Enforcement and Housing) Cllr Mrs Pearson (Vice Chair of Environment, Enforcement and Housing) Cllr Kendall (LD)
Youth Strategy Group	Cllr Mrs Gelderbloem	Cllr Mrs Gelderbloem

Appointments to Outside Organisations

APPENDIX B

Organisation	Previous Nominations for 2021/2022	Proposed Nominations for 2022/2023	Proposed additional nominations from the Lib Dem Group
Active Brentwood	Cllr Poppy	Cllr Poppy	
Armed Forces Covenant Champion	Cllr Hossack	Cllr Hossack	
Brentwood Access Group	Cllr Cloke	Cllr Mrs Slade	
Brentwood Arts Council	Cllr Mynott (LD)	Cllr Mynott (LD)	
Brentwood Community Safety Partnership	Cllr Barber	Cllr Barber	Cllr Barber Cllr Aspinell
Brentwood Council for Voluntary Service	Cllr Reed Cllr Dr Barrett (LAB)	Cllr Reed Cllr Dr Barrett (LAB)	
Brentwood Business Partnership	Cllr Mrs Hones Cllr Hossack Cllr Mrs Pearson Cllr Barrett (LAB) Cllr Kendall (LD)	Cllr Poppy Cllr Hossack Cllr Mrs Pearson Cllr Barrett (LAB) Cllr Kendall (LD)	
Brentwood Community Football Alliance	Cllr Hossack	Cllr Hossack	Cllr Hossack Cllr Lewis
Brentwood Theatre Trust	Cllr Fulcher (LD) Cllr Bridge	Cllr Fulcher (LD) Cllr Poppy	
Brentwood/Landkreis Roth Town Twinning Association	Cllr Miss Sanders (Mayor – President) Cllr Reed (Deputy Mayor – Vice-president) Cllr Naylor (LD) Cllr Mrs Hones	Cllr Miss Sanders (Mayor-President) Cllr Barrett (Deputy Mayor – Vice-president) Cllr Mrs Hones Cllr N Cuthbert (LD)	Appendix B
Brentwood/Montbazon Town Twinning Association	Cllr Miss Sanders (Mayor – President) Cllr Reed (Deputy Mayor – Vice-president) Cllr Russell Cllr Laplain (LD)	Cllr Miss Sanders (Mayor-President) Cllr Barrett (Deputy Mayor – Vice-president) Cllr Russell Cllr Laplain (LD)	
Conservators of Shenfield Common	Cllr Barrett (LAB) Cllr Dr Barrett (LAB) Cllr Wiles	Cllr Barrett (LAB) Cllr Dr Barrett (LAB) Cllr Wiles	
ECC Local Highways Panel	Cllr Cloke	Cllr McLaren	

2023

	Cllr Barber Cllr Kendall (LD) Cllr Dr Barrett (LAB)	Cllr Barber Cllr Kendall (LD) Cllr Dr Barrett (LAB)	
Essex Police and Crime Panel	Cllr Barber	Cllr Barber	
Essex Community Foundation	Cllr Hirst	Cllr Hirst	
Essex County Traveller Unit	Cllr Parker	Cllr Parker	
Headley Common Trustees (4 year term)	Mrs Jill Hubbard Mr David Tee Mr Michael Wild Mr Giles Murray	Mrs Jill Hubbard Mr David Tee Cllr M Cuthbert Cllr Laplain	
Health and Safety Committee	Cllr White	Cllr White	
Health and Wellbeing Board	Cllr Miss Sanders Cllr Mrs Davies (LD)	Cllr Miss Sanders Cllr Mrs Davies (LD)	
Herongate Village Hall Management Committee	Cllr Mrs Tierney	Cllr Mrs Murphy	
Howard Memorial Trust	Cllr Mrs Pearson	Cllr Mrs Pearson	
Hutton Charities	Cllr Hirst Cllr Tanner	Cllr Hirst Cllr Tanner	
IAA Member Working Group	Cllr Parker	Cllr Parker	
Local Government Association	Cllr Hossack	Cllr Hossack	
SNAP	Cllr Mrs Gelderbloem	Cllr Mrs Gelderbloem	
South Essex Parking Partnership Representative	Cllr Cloke	Cllr Parker	
South Weald Parish Hall Management Committee	Cllr McLaren Cllr Naylor (LD)	Cllr McLaren Cllr Naylor (LD)	
South East Children's Partnership Board	Cllr Mrs Pound	Cllr Heard	
Brentwood Children's Advisory Board	Cllr Mrs Pound	Cllr Heard	
Taxi Trade Consultative Group	Cllr Cloke Cllr Bridge Cllr Mynott (LD)	Cllr Barber Cllr Bridge Cllr Fryd (LD)	
Tenants' Talkback	Cllr Mrs Pearson (Chair of Environment, Enforcement and Housing)	Cllr White (Chair of Environment, Enforcement and Housing)	

	Cllr Mrs Hones (Vice Chair of Environment, Enforcement and Housing) Cllr Fryd (LD)	Cllr Mrs Pearson (Vice Chair of Environment, Enforcement and Housing) Cllr Kendall (LD)	
Youth Strategy Group	Cllr Mrs Gelderbloem	Cllr Mrs Gelderbloem	

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