

# Public Document Pack



## Supplementary Agenda 2

Dear Councillor

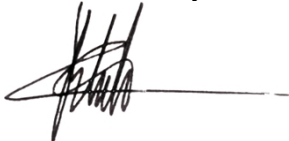
### **ORDINARY COUNCIL - WEDNESDAY, 2ND NOVEMBER, 2022**

I am now able to enclose, for consideration on Wednesday, 2nd November, 2022 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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- |     |   |
|-----|---|
| 7.  | <b><u>Committee Chairs Reports and Members Questions</u></b> (Pages 3 - 30) |
| 10. | <b><u>Licensing and Night-time Economy</u></b> (Pages 31 - 36)              |
| 11. | <b><u>Pay Award</u></b> (Pages 37 - 46)                                     |

Yours sincerely



Chief Executive

Encs

25/10/22

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<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 2 <sup>nd</sup> November 2022
<b>Subject:</b> Chairs Report for Audit and Scrutiny Committee <b>Committee Chair:</b> Cllr Thomas Heard (Cllr Sandy Tanner when meetings took place)	<b>Wards Affected:</b> All
	<b>For Information</b>

Audit & Scrutiny updates since the last Ordinary Council on 27<sup>th</sup> July

### **Unaudited Statement of Accounts 2020/21**

Conclusion of the audit is still in progress due to auditors resourcing and delegated authority was requested to approve the statements, should no material amendments arise upon completion. It is expected the Audit will be concluded by the end of November 2022.

### **Unaudited Statement of Accounts 2021/22 and Annual Governance Statement.**

In March 2021 MHCLG published The Accounts and Audit (Coronavirus) (Amendment) Regulations 2021 (SI 2021/263). These extended the statutory audit deadline for 2021/22 for all local public authorities in England, police and fire bodies.

The draft accounts publication deadline has continued to be extended from 1<sup>st</sup> June to 1<sup>st</sup> August. Public Inspection notices and the Unaudited Statement of Account 2021/22 along with the Annual Governance Statement were published on the Council's website on 28<sup>th</sup> July 2022 in advance of the inspection period 1<sup>st</sup> August to 12<sup>th</sup> September 2022. No notices of objections were received.

Under the 2020 Code of Audit Practice, for Local Government bodies, the Auditors are required to issue their Auditor's Annual Report (AAR) by 30 September or, where this is not possible, issue an audit letter setting out the reasons for delay. A notice of explanation has been published alongside the Council's unaudited accounts on our website from 30<sup>th</sup> September to meet appropriate legislation.

Discussions are ongoing with regards to the Audit timetable and Audit Plan.

<https://www.brentwood.gov.uk/-/statement-of-accounts>

### **Internal Audit annual opinion 2021/22**

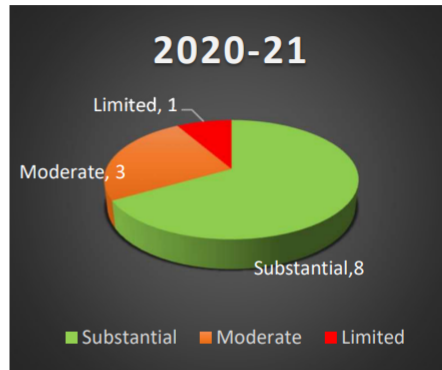
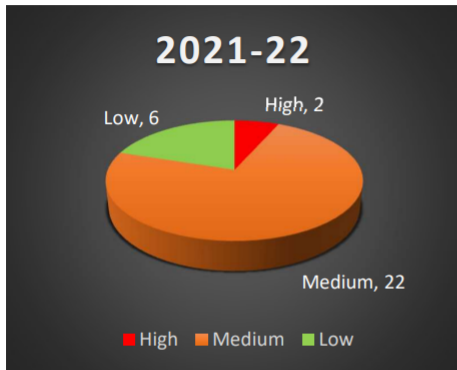
The Internal Annual Audit opinion has also been reported and has been included within the Annual Governance Statement. The overall opinion was of a moderate assurance that there is sound system of internal control, designed to meet the Council's objectives and that controls are being applied consistently.

Internal Auditors BDO, noted an improvement in the control environment compared

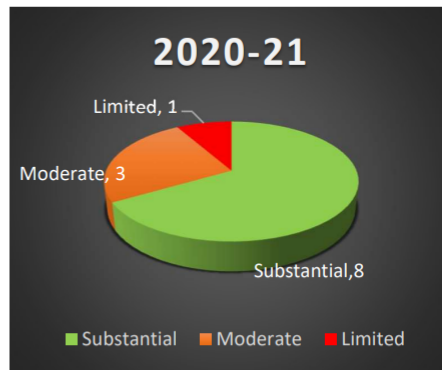
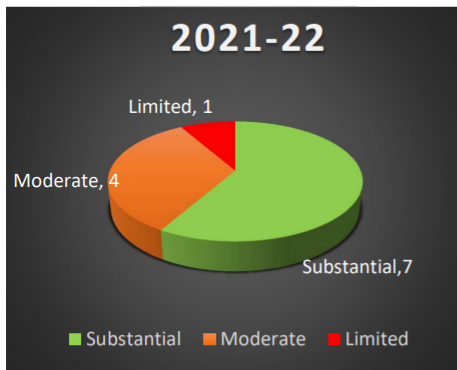
to last year, although not to the extent that is necessary to upgrade our overall opinion.

A summary on the internal Audit plan for 2021/22 is shown below.

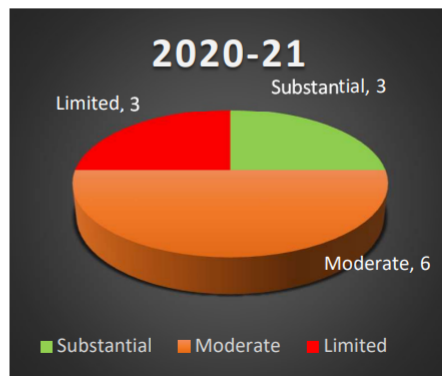
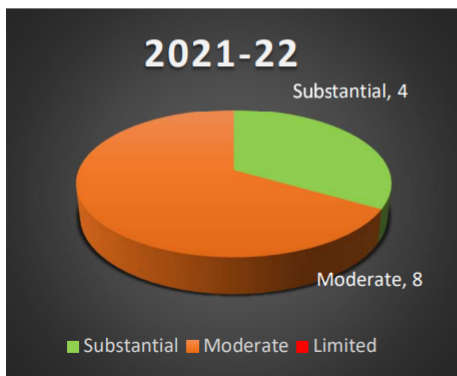
**Recommendations and Significance**



**Control Design**



**Operational Effectiveness**



**Internal Audit Progress Report 2022/23**

The reports presented at this committee informed the Audit and Scrutiny Committee of progress made against the 2022/23 internal audit plan. It summarised the work internal audit had done, together with their assessment of the systems reviewed and the recommendations they have raised.

Their work complied with Public Sector Internal Audit Standards. As part of their audit approach, they had agreed terms of reference for each piece of work with the risk

owner, identifying the headline and sub-risks, which had been covered as part of the assignment. This approach was designed to enable them to give assurance on the risk management and internal control processes in place to mitigate the risks identified.

The Audit Committee approved the 2022/23 outline summary audit plan in July 2022 and the full audit plan was presented as a separate agenda item for the Audit and Scrutiny Committee meeting in September 2022. The progress against plan is reported at every Audit and Scrutiny Committee during 2022/23.

No audits have currently been completed and follow up recommendations continue to be monitored.

### **Internal Audit Plan 2022/23**

The report covered the Internal Audit Plan for 2022/23. BDO has been the appointed Internal Auditor for the Council since 1 April 2014.

### **Formal Complaints & Performance Indicator Working Group**

The report submitted the report and recommendations of the Formal Complaints and Performance Indicators Working Group for consideration by the Audit & Scrutiny Committee.

### **Member Working Groups**

At the Audit and Scrutiny Committee held on 5th July 2022, Councillor Cloke put forward for consideration the following:

*“Formation, make up and running of working groups. The membership of these groups does not seem to be assigned consistently or according to Widdecombe principles and I wonder if a standard approach should be applied. The work planned and completed by these groups is also opaque at best. My primary concern is the constitution working group but a review of the overall approach and other working groups would be of benefit”.*

This was **RESOLVED UNANIMOUSLY** and now forms part of the Scrutiny Work Programme.

### **Scrutiny Work Programme 2022/23**

The Constitution requires that the Audit & Scrutiny Committee agrees its Scrutiny work programme at each meeting of the Committee. The report provided an update of the current scrutiny work programme.

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## Appendix B

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 2 November 2022
<b>Subject:</b> Community, Environment & Enforcement Chairs Update	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Will Russell	
	<b>For Information</b>

### Tree walk and talk events

27 July saw the second tree walk and talk at Warley Country Park with over 40 people attending. The third tree walk took place on 1 September at Hutton Country Park.

### Community Events

#### Family Fun Days

There have been 5 Family Fun Days that have been delivered over the summer holidays at the following locations.

- 29 July 2022 Warley Playing Fields
- 5 August 2022 Seymour Field, Ingatestone
- 12 August 2022 Brentwood Centre
- 19 August 2022 Doddinghurst Playing Fields
- 26 August 2022 Hutton Recreation Area

The Council also works with other support agencies to attend the event that provide support for local families. The Community Connect Trailer also attend all of the events which provides information on what's going on in the community plus advice and support from partner agencies such as Neighbourhood Watch, VitaMinds, United in Kind, Council for Voluntary Services, Mind, Fire Service and Community Agents. Over the course of the summer holidays

Sponsorship income to support the delivery of the event.

**Income of over £8000 on wristband sales over the 5 events.**

#### Lighting Up Brentwood

Plans are already in progress for this year's Lighting Up Brentwood which will be on Saturday 26 November.

#### Shenfield Christmas Fayre

Officers are working with the Shenfield traders to develop the plans for the Shenfield Christmas Fayre which will be on Sunday 4 December.

#### Community Connect Trailer dates

Thursday 6 October

Wednesday 21 September - Railway Square, Warley 10am – 1.30pm

Wednesday 28 September – Brentwood High Street 10am – 1.30pm (tbc)

Thursday 6 October – Hutton Community Centre 10am – 1.30pm

Wednesday 12 October – Horsefayre Green, Blackmore 10am – 1.30pm

Thursday 20 October – Beechwood Surgery, Warley 10am – 1.30pm

Wednesday 26 October – Brentwood High Street 10am – 1.30pm (tbc)

Wednesday 2 November - Brentwood Community Hospital 1-4pm

Wednesday 16 November – Hutton Road, Shenfield 10am – 1.30pm

Saturday 26 November – as part of Lighting Up Brentwood 10am – 1.30pm

Wednesday 30 November – Outside Shops, Doddinghurst Village

Sunday 4 December – as part of Shenfield Christmas Fayre

Wednesday 7 December – Ingatestone High Street 10am – 1.30pm

### **Community Hubs update**

As part of the Ukraine Independence Day Brentwood Cathedral 'Love in Action' group held a special vesper service on 24 August along with Ukrainian food on offer for the local community and the new Ukrainian community. There was also a special section at the Family Fun Day on Friday 26 August in Hutton to celebrate Independence Day with food, music, crafts and history of Ukraine for everyone to join in with.

The Daily Bread Café hub had a host of activities throughout the summer including Daily Bread on tour with trips out to the beach and local parks.

Doddinghurst Road Church continued with Foodbank, Men Shed projects, café and a summer Tots playgroup every week.

Doddinghurst, Navestock and Bentley held summer activities for families including meads.

The Essex Activate programme had 100's of children take part in activities and have a meal over the summer holidays, including a bonus day at our Family Fun Day which was well received.

The Kelvedon Hatch Hub has been providing activities every Monday morning since March and this has been steadily growing.

Over the summer holidays the Hub held different activities each week for children. In addition, the Hub now have a Healthy Family Practitioner attend every week and this will continue for the foreseeable future, to weigh babies and chat with parents/carers. The Hub also collect the Fair Share food from Gail's Bakery and which is available at The Hub each week and some has been delivered to a variety of people in the community, showing that they have been thought of. Some of the attendees have started knitting baby hats and a huge bag full has been delivered to Basildon Hospital. The Hub has become very intergenerational with a mix of abilities and disabilities.

The Coffee Club at St Paul's Church Centre, Bentley Common, has been established fortnightly on Wednesdays for anyone who wants a coffee/tea and a chat. We also



collect Fair Share food from Gails Bakery for this and have it available during the morning. On the alternate weeks, we advertise the Fair Share Food on the Pilgrims Hatch Chatter page for people to come and collect it. In addition, we deliver it to a variety of people in the community.

### **Cost of Living support**

Brentwood Borough Council and Rochford District Council have developed cost of living webpage which provides support and guidance for residents on reducing their bills during the current crisis. <https://www.brentwood.gov.uk/-/cost-of-living>.

A working group is being established to look at the other methods of support that we can offer our residents, staff and local businesses.

There is also a working group looking at this year's winter warmth campaign to support the most vulnerable during the winter months.

A survey has gone out to the Community Support Network asking for feedback on their own organisation and the key priority areas of support that they think will be a priority.

A separate report went to Policy, Resource and Economic Development Committee on 12 September for member consideration.

### **King George's Playing Fields new development**

The Phase 2 of the development which was the demolition of the old pavilion building and landscaping of the site is in progress. The old pavilion has been demolished, new drainage facilities installed across this site and the landscaping on this area has commenced. Due to the extremely hot and dry conditions that are being experienced the tree, shrub planting and grass seeding has been deferred until conditions are better, so fencing around this area will remain. The new bin store and covered cycle rack are due to be installed by end of September. Reinstatement works to some of the pathways are also being progressed.

### **Golf booking system**

A new golf booking system for Hartswood Golf Course will be launched in November 2022.

### **EV Charging points in King George's Playing Fields**

EV charging points are due to be installed in the main car park in King George's Playing Fields in February 2023.

### **Brentwood Centre**

After the successful Sport for Confidence launch event in June, the scheme was rolled out in September with a regular weekly programme of activities.

The events programme for September and October included a fitness weekend, a new Limbless event, Judo, Wedding Fair and the Brentwood Business Showcase on 5 October.

The snooker English Open takes between 12–18 December and will feature over 70 of the game's best players, including Ronnie O'Sullivan, Judd Trump, Mark Selby, and

reigning champion Neil Robertson. The winner of the tournament will take home the Davis Trophy (named in honour of English snooker legend Steve Davis) and a share of the £427,000 prize fund.

### **LCWIP**

The Local Cycling and Walking Infrastructure Plan for Brentwood. ECC are leading on this with a consultancy company WSP who have extensive experience working on LCWIPs with Essex County Council.

An initial meeting has happened and a working group has been formed. The consultants will now start gathering relevant data to give insight into where route improvement is needed. Timescale wise, we are being told 6 to 7 months for completion.

### **Homes for Ukraine**

The Council continues to support Ukrainians arriving in Brentwood and their sponsors. There are currently 89 number of guests including children and 60 sponsors in the borough are registered on the Homes for the Ukraine scheme to host a family or individual. As well as ensuring sponsors have suitable accommodation, the Council is also working with community organisations to support families with wellbeing, practicalities, such as food and essentials, social and language support and access to digital equipment and employment support. The next stage will be to support families with 'moving on' as the initial 6-month sponsorship period comes to an end.

### **Dunton Hills Garden Village – Community and Education Programme**

In partnership with Essex Cultural Diversity Project, artist Becky Vincer was commissioned to create a 'gift' for Dunton Hills. Artists were invited to propose a 'gift' that could be presented to each new future resident of Dunton Hill, developed in close collaboration with communities and involving local residents in the place-making process. For her project, Becky will work with children, young people and community groups to co-design a picnic blanket that features recipes, stories, quotes and illustrations. Becky attended our Warley Family Fun Day, where residents were able to get creative, and has delivered workshops at Daily Bread Café and the Forget Me Not Activity group for people affected by dementia. Becky's workshops continue into the Autumn with local schools, youth groups, and mother and toddler groups. A final design will be presented in the new year.

### **Brentwood Community Fund**

The first round of Brentwood Community Fund closed on 31 July 2022. The Council received 26 applications requesting £102,505.96 of funding. The available funding pot available for round 1 was £27,227.40 which includes a small carry forward from last year. As the round was oversubscribed, officers directed any unsuccessful applicants who had scored over 60% the opportunity for automatic submission into round 2 which opened on 1 October 2022. Unsuccessful applicants will also be directed to other alternative funding that is may be available.

Organisation	Detail	Amount awarded
Essex Cultural Diversity	<u>Global Village at Doddinghurst</u> - To further work undertaken with the previous project which explored the history and heritage of an Indian Princess buried in All Saints Church. The organisation would like to deliver an outdoor event with world music, dance and workshops. Local communities will be engaged in a number of creative and cultural workshops in the few months prior to a final event at the village hall and field in July 2023. Workshops will include Bhangra and Bollywood dance, Henna and silk painting, led by local and international artists, linking to the story of the Princess and engaging diverse and non-diverse communities in Brentwood.	£4,800
Parochial Church of St Edmund and St Mary's Church, Ingatestone	Re-wilding of closed churchyard to create safe space for teenage girls and for residents living with dementia - To re-wild the closed churchyard, working with girls and those living with dementia, enabling conversations around the community and contributing to the church's commitment to reach net carbon zero by 2030. Skills developed will enable other sites in the parish to be similarly developed	£3,500
Citizen's Advice South Essex	Citizens Advice Foyer outreach project - In partnership with the YMCA, to provide outreach sessions supporting residents in the Foyer to increase the residents' success of living independently when they leave the Foyer. Sessions will also support residents living near the Foyer. Funds will pay for a sessional adviser to deliver face to face support.	£5,000
The NO Collective	YAY Mates - Creative Networking on the edge of Essex - To create a new creative networking group, linking to an existing, successful group in Havering. The applicant proposes to deliver a 6-month kick start to the network which will include 6 monthly meet ups, 6 workshops for creative businesses and opportunities for artists to sell their work. The applicant will work with local artists to continue the network after the 6-month initial period	£5,000
Frontline Partnership	Great Danes Adult Inclusivity Team - To fund the role of Team Co-ordinator for 12 months who will support at training and at league and cup matches, liaising with Soccability and organising volunteers.	£5,000
Age Well East (formerly Age Concern)	New befriending group - Age Well East wishes to expand their current Community Friendship Service for those experiencing isolation and loneliness by providing a new befriending group in Brentwood town centre.	£2,400

Sawyers Church	Building for the Future – To part fund Phase 2 of the build project, which includes a disabled ramp, cabin lift, automatic door and disabled toilet appliances for the wider community to use.	£1527.40
<b>Total</b>		<b>£27,227.40</b>

### **Environment Strategy**

The Environment Strategy is currently out for consultation. An online Q&A session was held on Facebook on Monday 8<sup>th</sup> August, and saw questions asked around the topics of EV charging, recycling, and financial support to improve the EPC grades of homes which aren't eligible for government grants.

To increase the number of surveys completed, we are investing £200 to promote the surveys on Facebook through targeted advertising. The business survey has been and will continue to be promoted through BEBA and the Business Newsletter produced by the Economic Development Team. The Communications Team is also regularly promoting all the surveys across all social media platforms including Facebook, Twitter, and LinkedIn.

The responses to the surveys will be analysed, and results will be brought to the next committee.

### **BEBA**

BEBA have organised a free Carbon Awareness webinar series, produced by two of the board members (David Dahan of Auditel/ Newton Wright Advisors, and Sophie Stephens of Ground Control). The series began on Wednesday 14<sup>th</sup> September, and will run weekly until 10<sup>th</sup> November (excluding half term). An exclusive workshop will be held at the Brentwood Business Showcase on Wednesday 5<sup>th</sup> October.

We have over 70 businesses signed up to BEBA, many of whom are keen to get involved in environmental initiatives such as tree planting and litter picking.

### **Trees Update**

In response to the significant failure of tree planting schemes across Essex in 2022 due to the severe drought conditions experienced, a review of the tree planting plan is being undertaken. This is to consider the need for further resource to establish tree plantations, through increased or better water management and provision for an increased number of tree replacements.

This may have a significant impact to the finances and grant funding required to deliver the tree planting schemes, particularly given the scale and ambition of the tree planting. A further consideration is to understand the commitment required by tree-planting grant scheme as to the contractual obligation to ensure the establishment of the trees planted, and the risk of claw-back of funds should trees fail to take.

Priority is to be given to provide replacement trees to existing 2022 projects and providing additional mulching to improve the success rate in establishment.

## **Community Safety- Engagement/Campaigns/Projects**

### **The Baker Partnership Hub**

The Community Policing Team now work out of The Baker Partnership HUB at Brentwood Town Hall which was opened by the Mayor of Brentwood and Chief Constable for Essex in March 2022

The HUB has been named the Baker Partnership HUB in memory of Police Officer Tris Baker who was sadly died last year and was the Children & Young Persons Officer for Brentwood. Funding for the HUB was received from the Community Safety Partnership and Police Fire & Crime Commissioner to see the HUB ambition being realised which means that Essex Police now work alongside Council's Community Safety team and wider community safety partners such as Essex County Fire & Rescue Service, Essex Probation, NHW, Crime Stoppers, SEPP, and Youth Services as well as many more.

This has greatly improved our already healthy partnership with daily communication between the agencies which has already resulted in quicker results such as closure orders and dealing with community safety issues immediately; we recently assisted a rough sleeper who was suffering with serious physical and mental health issues, getting him the support, he needed which has assisted in him rehabilitating into society with a job and accommodation. It has also enabled us to have the following regular meetings between partners:

- Weekly Community Safety Intelligence and Tasking
- Daily Police Briefings
- Biweekly ASB and CCTV project meetings
- Monthly ASB partnership meetings
- Ad Hoc case review meetings
- Partnership engagement and ops planning

These partnership meetings have resulted in better/productive use of available resources, an improved intelligence product identifying hot spots, repeat offenders, times of offences and emerging community safety trends and issues, improved use of CCTV and camera positioning, improved regular community engagement, improved communications on individual cases between agencies, prompter and more accurate responses to victims and more accurate risk assessments.



## **Community Engagement**

The partnership has continued to deliver as many community engagement events across the borough and wider Essex where possible. Since April 2022, 17 events have been delivered. Another area of focus for the partnership is linking in with local, regional, and national campaigns including:

- Ending Violence Against Women
- White Ribbon Day- Engaging with men and boys to end violence against women
- National Road Safety Week
- Project Edward – European Day without a road death

## **Projects**

Through the CSP the Community Safety team remain committed to tackling key issues for Brentwood by focussing on specific projects such as working closely with local schools and facilitate and Chair the Schools Liaison Meeting every month. This includes representatives from all local secondary schools as well as Essex Police, ECC (Essex County Council) Youth Service, and other community agencies. Through this group excellent relationships have been formed and go from strength to strength improving communication and collaboration.

Projects being delivered include:

- Mentoring Sessions for young people to help with communication, personal development and to work on behaviours, vulnerabilities, consequences and self esteem
- Outreach work in hotspot areas to engage with young people
- N-Act Theatre performances for all schools. 'Friend' is a play about gangs, county lines, knife crime and consequences
- 'Unacceptable' performance on peer-on-peer behaviour and awareness around sexism, sexual harassment and sexual violence isn't acceptable
- Crime awareness sessions delivered in schools around drugs, gangs, and knife crime
- Boxing project established in the Brentwood Centre for young people
- Speedwatch has continued to grow with a dedicated Speedwatch email in place for Speedwatch groups to utilise and a speed gun is available for groups to use which is located at the Town Hall and co-ordinated by the Community Safety team & volunteers. Whilst this scheme is primarily to target speeding drivers it is also a very visible presence in a locality which can only help to assist with discouraging burglars.
- The Essex Restorative and Mediation Service holds offenders to account and helps them take responsibility for the harm they have caused. Victims are given the chance to explain the impact the crime or conflict has had on them, ask questions of the perpetrator, and seek an apology.

- Seasonal Burglary Operation - The partnership has previously been involved in targeting and preventing the seasonal increase in burglaries that occurs across the whole county over the Winter months and will do so again this year.
- Operation Insight consists of a system of analysis and the deployment of resources into 'hot spots' likely to suffer burglaries, reducing the chance of them occurring. Intelligence is shared with partners and the Council's Community Safety team then disseminate to other departments within the Council to make sure staff are aware and can factor this information into their regular patrols, visits, and work schedule etc.

### **Anti-Social Behaviour (ASB)**

We continue to receive a large number of Anti-Social Behaviour reports, but this has been made easier to address now that the ASB officer works from the Baker Partnership HUB with police CPT; greater sharing of intelligence, risk assessments and dedicated action plans between police and Community Safety have enabled us to improve our response to reports of anti-social behaviour. This has included recently obtaining a partial closure order to protect a vulnerable resident and their neighbours from an aggressive Class A drug user and making 71 home visits including joint visits with police. We are also organising a monthly partnership meeting to be held in the Baker Partnership HUB to address our highest risk ASB cases with agreed dedicated action plans.

### **Objectives**

- Introduce a new Case Management System to improve reporting and response for residents.
- Purchase and implement 'ASB App' to assist ASB case worker and offer a better service to Brentwood residents which includes improving communications between complainants of ASB and our ASB Case worker and police.
- Work with partners to reduce overall ASB in Brentwood through the HUB and connections with local schools.
- Continue out of hours patrols of the ASB Hotspot areas.

### **Environmental/Patrols**

Daily patrols undertaken across the borough dealing with fly tipping, littering, abandoned vehicles, early presentation of waste and supporting the wider team where possible. This includes other teams across the Council such as Environmental Health, Planning Enforcement and Licensing. We recently captured a fly tipper on Brentwood Road via CCTV and prosecuted him for £400 and we are currently installing a solar powered camera in Navestock to address fly tipping.

### **Objectives**

- To maintain a visible presence with Corporate Enforcement, NES, SEPP and Essex Police (including OOHs)
- To proactively use CCTV footage to continue to tackle ASB, nuisance and littering in the Town Centre

- Maintain the patrol schedule and feedback to relevant agencies
- Continue to develop promotional material to bring back better engagement with residents and visitors (ASB & Fly tipping)
- Identify further hotspots

## **CCTV**

The CCTV control room continues to provide 24/7 monitoring, incident identification and assistance with criminal investigations.

The control room also continues to offer the evening and weekend emergency telephone reporting service. The community safety team are conducting an audit and review of the CCTV service including connectivity, cameras, camera positioning, software and protocols and policies to ensure that Brentwood CCTV is both legislatively compliant with the new legislation for surveillance for local authorities and is an effective surveillance system/service to better serve and protect our community.

As part of this review/audit we will also be consulting with our partners Essex Police and Housing as well as other agencies to make the CCTV service an effective tool for the whole partnership. Data is also shared with partners in relation to the use of CCTV in the interest of Community Safety.

### **Objectives**

- Maintain increased vigilance of areas of high ASB
- Increased use of CCTV for fly tipping and littering
- Work with Essex Police and enforcement team to proactively reduce hotspots
- Continue to deliver and expand surveillance solutions to new and previously unmonitored areas affected by crime / ASB
- Undertaking a full review of the service, including policies, procedures, and reporting

## **Community Safety Key Performance Indicator's 2022/23**

<b>Month (for year 2022/23)</b>	<b>Joint Patrols (including with SEP and NES)</b>	<b>FPN's (Litter and Fly Tipping-NES)</b>	<b>PCN's (Parking - issued by or with Community Safety)</b>	<b>Incidents captured by CCTV</b>	<b>CPW/CPN's/Injunctions</b>	<b>ASB Cases</b>	<b>ASB Home Visits</b>	<b>Closure Orders / Notice Seeking Possession (for ASB)</b>	<b>Community Engagement Days</b>
April	12	118	69	30	1	13	13	0	4
May	8	124	98	35	0	12	22	0	5



June	11	126	48	21	1	14	8	1	4
July	9	146	74	21	3	15	28	2	7
<b>Total</b>	<b>40</b>	<b>269</b>	<b>289</b>	<b>107</b>	<b>5</b>	<b>54</b>	<b>71</b>	<b>3</b>	<b>17</b>

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## Appendix C

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 2 <sup>nd</sup> November 2022
<b>Subject:</b> Housing Chairs Update	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Garry White	
	<b>For Information</b>

### **Housing Service Officer Appointments**

Members will be aware of the recent Tier 3 restructure under the OneTeam Transformation programme and the subsequent recruitment process for the vacant Director roles. In order to maintain Housing Services, until a permanent Director is appointed Julian Higson has been recruited as Interim Director with effect from the middle of September.

In addition, following a restructure in Housing Services the senior Officer level has been increased from two to three including a Corporate Manager, Carol Burton responsible for repairs and maintenance with effect from the 1st of September 2022.

### **Fire Risk assessment capital programme**

**Drake House** - Phase 2 of Drake House is now underway to install a sprinkler system throughout the block which has been approved by the Fire Service. The specification/design with pre-tender estimates have now been completed and Axis have now issued the tender pack and are awaiting the tender returns.

**Chichester House** – As with Drake House, a sprinkler system installation has been recommended for this block which has been approved by the Fire Service. A full design of the of the sprinkler system has now been commissioned to provide a revised specification of works.

**St Georges Court/Elizabeth House** – The flat entrance fire door replacement programme has now been agreed following negotiation with Axis to use an alternative manufacturer who can manufacture and install their own door-sets to avoid delays in lead time for doors that had previously been experienced in Phase 1 of the FRA (Fire Risk Assessment) project. Currently the programme of works is being prepared by Axis.

**Scooter Stores – Sheltered Schemes** – Following the implementation of the Mobility Scooter Policy, and in consultation with the Council's Fire engineer to construct scooter stores within five of the sheltered blocks across the borough the Council's FRA technical Consultant has been commissioned to provide the design/specification together with pre-tender estimates for this work to be carried out in the next financial year.

### **Commercial Heating Major refurbishment works Capital Programme**

**St Georges Court - Works** are progressing well, however, there were some key design specification issues identified due to the surface pipework which was proposed to be installed within individual flats was not aesthetically acceptable for residents. Following

a resident consultation exercise this issue was resolved Axis have been instructed to re-design the specification to all for the pipework to be concealed within the individual properties.

**Victoria Court** – Works are progressing well, the boiler house roof replacement is scheduled to be undertaken by Axis in April 2023, however this will not cause a delay to the overall project completion.

### **Kitchen & Bathroom Capital Replacement Programme**

The Council's Kitchen and bathroom programme commenced on the 11 April 2022 of 195 properties, initial observations and feedback from resident's are that the standard and quality of installation is good and resident satisfaction is high. Axis is now planning a run rate of 5-6 replacements per week.

### **Service issues**

#### **Gibraltar House Lift failure**

Following a routine inspection by Zurich of the lifts on the Friday, 5<sup>th</sup> August 2022 it was identified that due to defects found it had been necessary for the lifts to be taken out of service until remedial works could be undertaken. In response to this notification, we arranged for Housing Officers to be on site to notify residents of issue and to ensure that residents could raise any individual concerns. Whilst we have a 'Stay Safe Policy' in place we also notified Essex Fire Brigade of the issue. Subsequently the lift was back in full operation the following Monday, 8<sup>th</sup> August.

#### **Drake House – Hot water failure**

Following an emergency callout over the weekend of the 20<sup>th</sup>-21<sup>st</sup> August to attend to a leak on the hot water system, Axis had advised that due to the location of the leak major works would need to be undertaken in the plant room to allow access to the parts required that had failed. Following an estimate that residents would not have a hot water supply until Wednesday, 24<sup>th</sup> August we arranged for Housing Officers to be on site to notify residents of the issue and to apologise for the inconvenience caused. The hot water supply was subsequently restored on Wednesday, 24<sup>th</sup> August.

#### **Masefield Court – Roof leak**

Following the severe rainfall overnight 25<sup>th</sup>-26<sup>th</sup> August we were notified of a roof leak at Masefield Court which had caused water ingress to 6 properties. It has been identified that the potential cause of the leak is due to water ingress into the outlet. Further investigations are currently being undertaken to confirm the cause and to arrange remedial works to rectify the issue. All affected tenants were visited by Housing Officers to ascertain the cause of the damage and to discuss any concerns or needs. In the short term the electricity supply to the kitchen area was isolated until the properties had dried out, but there was no immediate requirement for any tenants to be decanted and no tenants had requested alternative accommodation. The tenants were advised that they could be reimbursed for any additional costs incurred whilst they did not have any cooking facilities available for them.

## **Housing Needs update**

The Housing options team have faced multiple challenges in the last quarter, some of which no-one could have predicted a year ago. With Russia's invasion of Ukraine and the government's subsequent visa sponsorship schemes the team have worked hard to familiarise themselves with changing legislation. A rise in complex cases and hospital discharges has also been a large pressure on staff resources however through collaborative planning and a strengthened working partnership with the NHS we have maintained a high level of service. Severe weather and repair issues have also led to an increase in the need for decant accommodation which creates an added pressure on temporary accommodation stock.

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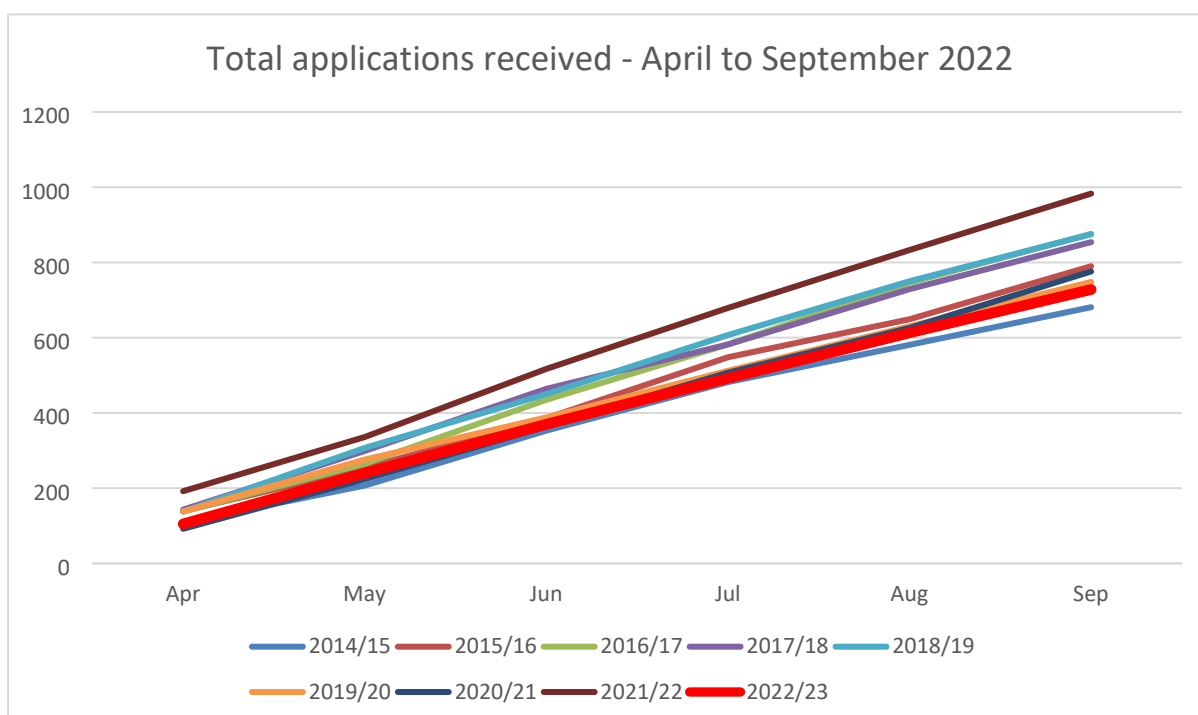
## Appendix D

<b>Committee:</b> Ordinary Council	<b>Date:</b> 2 November 2022
<b>Subject:</b> Planning and Licensing Committee Chairs Update	<b>Wards affected:</b> All
<b>Chair:</b> Cllr Sandy Tanner (from October 2022)	
<b>Report of:</b> Phil Drane, Corporate Director – Planning & Economy	<b>For information</b>

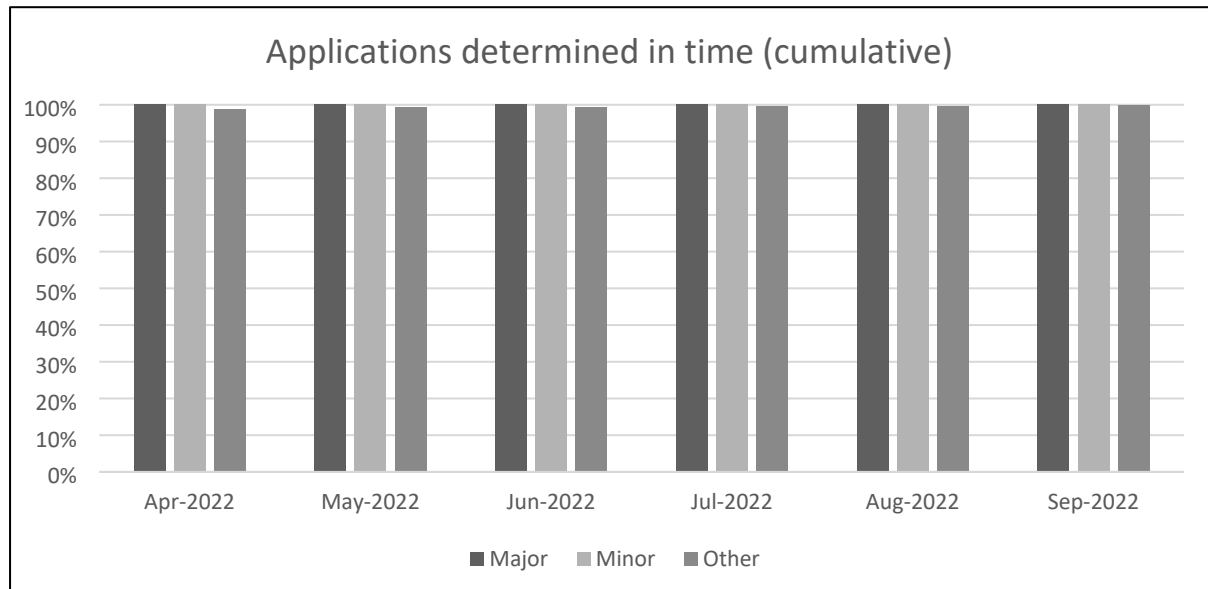
### PLANNING DEVELOPMENT MANAGEMENT

#### Applications and performance

The number of applications received, using the broadest measure (i.e. relating to all types of applications) for the whole year 2021/22 was the second highest since 2014, when data was first recorded in a comparable way. The increase began in summer 2020 following a significant decline in April 2020, which was very likely pandemic related and short-lived. The total number of application received in 2021/22 was 3% up on the previous year, due largely to a spike in the early part of that period since when the number of application has softened. So far during 2022, the number of applications has continued to reduce, currently being approximately 26% down on last year. Likewise, the number of applications received last year in the narrower measure of applications (FUL, LBC etc) was also the second highest for all years since 2014, but has reduced so far this year and is down by approximately 29%. The following graph compares the total number of applications received for each year since 2014. This shows 2022 to currently be the second lowest number of applications received up until September compared with previous years. This is likely to be caused at least in part by the cost of living crisis and will continue to be monitored.



For several years now, the percentage of planning applications decided within statutory deadlines has remained at the highest levels recorded for the Planning Development Management service and comparable to the best nationwide. In the previous Chairs Update report this was shown according to national rankings compiled by the Government. The following table sets out performance so far in 2022 for applications determined in time.



### Decision-making

Since January 2020, sixty seven applications have been determined by the Planning & Licensing Committee, of which twenty four decisions have been contrary to recommendation (36%). Eight of those overturned recommended were for approval but refused, and fifteen with recommendations for refusal were approved. A further application for listed building consent was refused on officer advice as the associated planning application had been refused by the committee contrary to recommendation.

Although it is acceptable in principle for the committee to disagree with an officer recommendation, particularly where matters are finely balanced, it would be expected to be a rare occurrence, particularly with a recently adopted local plan. The local plan was adopted in March 2022 and since then of the fifteen applications determined, five applications (i.e. a third) were determined contrary to recommendation – all approvals when the recommendation was refusal. Contrary decisions can have an impact on the pre-application service and the confidence of applicants in the views of officers, as well as appeal performance, though that would be in the context of decisions for refusal. For these reason, it is important to keep it under review.

The Planning & Licensing Committee has so far met four times in the new municipal year (since May 2022). The committee has split planning and licensing items so that the committee convenes to consider any licensing items first, and then concludes



before starting again for Planning items. The committee membership is the same for both.

## **Appeals**

As regularly reported in this briefing, the Secretary of State operates a 'quality' measure of planning decisions. Like the measures for speed, these are assessed as two types: Majors and 'non Majors'. The measure assesses the number of allowed appeals as a percentage of all applications of that type determined by the local planning authority in the previous two years. This assesses the decision failure rate, what the Government may consider to be poor or bad decisions. The threshold for concern is 10% (i.e. the loss rate should not exceed this level).

Currently one major appeal has been lost in the qualifying period that ends in December 2022. This was a non-determination appeal submitted in 2020 and determined last year. This is under a long way below the 10% threshold (i.e. 2.8%) based on 35 major application decisions.

Looking at appeals on a more basic allowed/dismissed level, the percentage of appeals lost this financial year (to end of September) has fallen to 17% (two decisions). However, this isn't the measure that the Government considers to be important.

An overview of recent appeal decisions and performance is regularly reported to the Planning and Licencing committee for information, most recently on 29 September 2022.

## **Planning Enforcement**

A regular series of updates are presented to the Planning and Licencing Committee. In the year to date, 46 enforcement cases were opened and 46 were closed. However, prior to opening an enforcement case each referral is assessed to see if it a potential breach of planning control rather than a non enforcement matter. This assessment carries with it a level of work not reflected in the figure of opened cases. An overview of Planning Enforcement activity is regularly reported to the Planning and Licencing committee for information, with the next update due soon.

## **PLANNING POLICY**

An update on supporting documents, such as the Ingatestone & Fryerning Neighbourhood Plan and Community Infrastructure Levy (CIL), is provided in the Chairs Update report for Policy, Resources and Economic Development Committee.

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## Appendix E

<b>Committee:</b> Ordinary Council	<b>Date:</b> 2 November 2022
<b>Subject:</b> Policy, Resources and Economic Development Committee Chairs Update	<b>Wards Affected:</b> All
<b>Chair:</b> Cllr Chris Hossack	
	<b>For Information</b>

### **Click It Local Update**

On 3 March 2022 Essex County Council gave Brentwood Borough Council a grant of £15,000 to extend Brentwood's Click It Local contract for an additional six months until September 2022. At the Policy, Resources, Economic Development (PRED) Committee on 9 March, it was agreed that a Click It Local update would be provided to members on the platform's performance during this extension period.

Click It Local announced on 20 March that it had ceased trading with immediate effect. The contract extension had not been signed by this date and no further Council monies were transferred to Click It Local.

On 22 March, Essex County Council agreed that Brentwood Borough Council could keep the £15,000 grant to use on other projects. To date £5,000 of this funding has been allocated to support the onboarding of Brentwood businesses onto the Essex+ platform, a new high street loyalty pilot scheme supported by Essex CC that will be launching in autumn 2022. The remaining £10,000 remains in the Economic Development budget.

### **Business Improvement District for Brentwood, Shenfield and Ingatestone**

Business Improvement Districts (BIDs) are business led partnerships which are created through a ballot process to deliver additional services to local businesses. They can be a powerful tool for directly involving local businesses in local activities and allow the business community and local authorities to work together to improve the local trading environment.

Following the High Streets Conferences held on 11 January and 21 March 2022, the council commissioned a BID feasibility report. The report has provided a series of recommendations for potential formation of a BID for Brentwood, Shenfield and Ingatestone, subject to the outcome of a ballot in summer 2023.

### **UK Shared Prosperity Fund (UKSPF)**

Members will be aware that the Government announcement UKSPF funding for all districts earlier this year. The council responded by the deadline of 1 August 2022 with an Investment Plan for how the funding would be spent according to high-level themes set by the Government. Brentwood borough will be allocated £1 million to be spent in line with the business plan over the next three years (2022/23 – 2024/25), subject to approval. A report was brought to PRED Committee on 13 July 2022.

The council is still awaiting confirmation of these funds and approval of the business plan. Members will be updated once funding confirmation has been received, which will include convening a board to approve specific proposals for spending the funds in line with the Investment Plan and UKSPF rules.

### **Brentwood Business Showcase**

The council held its sixth annual Brentwood Business Showcase on Wednesday 5 October 2022, attracting close to 500 attendees from across Essex. The event featured keynote speakers, workshops and a record number of exhibitors. New to the Showcase this year was the addition of a networking breakfast and a Sustainability Zone stage.

### **Draft Parking Strategy**

At PRED Committee on 16 December 2020 it was resolved to engage with a parking consultant to assist the council to develop a draft parking strategy for members to consider.

Following stakeholder engagement, a draft strategy for parking has been produced and was approved by PRED Committee on 3 October 2022.

### **Brentwood Local Heritage List**

The report to PRED Committee on 3 October 2022 presented the Brentwood Local Heritage List (Local List) and sought approval to adopt the list and with delegated authority to the Director of Place for ongoing management.

All Local Authorities are responsible for compiling a Local List, with guidance being set out by Historic England, through the National Planning Policy Framework (NPPF). The recently adopted Brentwood Local Plan 2016-2033 also refers to Non-Designated Heritage Assets and a Local List under Policy BE16 Conservation and Enhancement of Historic Environment and supports the ethos of local listing.

This was approved by the Committee.

### **Ingatestone and Fryerning Neighbourhood Plan (2020-2033) – Update**

Brentwood Borough Council approved the designation of the Ingatestone and Fryerning Parish as a Neighbourhood Plan Area in October 2017. The neighbourhood planning group prepared a draft neighbourhood plan and consulted on the document before formally submitting the draft plan to Brentwood Borough Council under Regulation 15 on 17th November 2021 as required by the Neighbourhood Planning Regulations. The Ingatestone & Fryerning Neighbourhood Plan was brought to the November 2021 Planning, Resources, and Economic Development Committee where the committee formally accepted the draft plan, agreed to undertake the required consultation (Regulation 16), and approved delegated powers to the Director of Place (formally the Director of Planning and Economic Development) to make any modifications as determined through the examination process, and proceed to referendum.

An update was brought to the July 2022 PRED Committee informing members that the Ingatestone and Fryerning Neighbourhood Plan had successfully completed the examination stage and had been granted permission to proceed to Referendum provided minor amendments were made. These amendments were made to the plan and the Referendum held between 30th July to 4th August 2022. The Neighbourhood Planning Regulations (General)(England) 2012 (as amended), required a majority vote in favour of the neighbourhood plan in order for it to be 'made' and thus form part of Brentwood Borough Council Planning Development Framework. The results of the vote were 86.45% in favour for the plan, 13.55% against, with 15% of the residents eligible to vote participating in the referendum. Therefore, as of 5th August 2022, the Ingatestone and Fryerning Neighbourhood Plan has had full weight and is considered when determining planning applications within the parish boundary.

The report was for information purposes only, in order to provide members on an update on what has happened since the Council took responsibility for the Ingatestone & Fryerning Neighbourhood Plan on 24th November 2021. The neighbourhood planning process has now concluded, however, the Inspectors Report required the Ingatestone and Fryerning Neighbourhood Plan to undertake a review process following the Brentwood Local Plan early review. Therefore, the planning policy team will continue to engage with the Parish Council through this process.

### **Community Infrastructure Levy Draft Charging Schedule Consultation**

The report updated Members on the progress which has been made in preparing a Community Infrastructure Levy (CIL) Charging Schedule for the borough since the previous update in March 2022.

The report presented the draft Community Infrastructure Levy Charging Schedule, and associated consultation materials and evidence base documents, and seeks the approval of the Committee to publish these documents for Regulation 16 consultation.

The draft Brentwood Borough CIL Charging Schedule proposes levy rates for the borough which will maximise the potential for new development to generate income for the delivery of new infrastructure, while also ensuring that proposed rates do not render new development in the borough financially unviable. Following committee approval, the draft CIL Charging Schedule has been published for a four-week consultation period between 12 October and 9 November 2022.

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<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 2 <sup>nd</sup> November 2022
<b>Subject:</b> Licensing and Night-time Economy	<b>Wards Affected:</b>
<b>Report of:</b> Paul Adams	<b>Public</b>
<b>Report Author/s:</b> Name: Paul Adams – Licensing Manager Telephone: E-mail: paul.adams@brentwood.gov.uk	<b>For Decision</b>

## Summary

Cumulative Impact Assessments (CIAs) were introduced as a tool for licensing authorities to limit the growth of licensed premises in an area.

Cumulative impact occurs when the saturation of licensed premises (on-license alone, off-license alone or both combined) in an area is identified as causing a concern about one or more of the licensing objectives, which is then supported by an evidence base which proves that a policy is required to more effectively manage and control the supply and consumption of alcohol in that area.

This report considers the process that would need to be followed to determine if there is sufficient evidence to support the introduction of a CIA under the Licensing Act 2003.

## Recommendation(s)

**Members are asked to:**

**R1. Agree for officers to work with partners including Essex Police, and the Community Safety Partnership to undertake a review of the Night-time Economy and to consider evidence available to support a Cumulative Impact Assessment (CIA).**

**R2. To report findings to a future Licensing Committee for further consideration.**

## Main Report

### **1. Introduction and Background**

- 1.1. Brentwood has for many years had a thriving and popular night-time economy, with a combination of bars, restaurants, night clubs and takeaways, catering for a wide-ranging demographic of customers, both locally from within the

Borough and from out of town. Covid had a significant impact on the industry, with a significant reduction in the number of premises operating during the pandemic because of the restrictions imposed on them, and customers preference to stay away from larger crowds to reduce the risk of infection.

- 1.2. There is an emerging trend in the number of new night-time economy premises that are opening or morphing from food driven establishments to more alcohol/entertainment led in Town Centre. There has also been an increase in the terminal hour that premises operate to using Temporary Event Notifications and variations to licences, with venues looking to continue to 3.00am or later.
- 1.3. With the significant investments that are being made in the regeneration of the town centre, there is a concern that if not controlled, this could undermine the confidence in investment and use of the town.
- 1.4. Most of the premises that are operating during the night-time economy hours, do so under a Premises Licence issued under the Licensing Act 2003 (the Act). There are 4 Licensing Objectives under the Act which are, Prevention of Crime and Disorder, Public Nuisance, Public Safety, and the Protection of Children from Harm. Premises while operating need to ensure that they are meeting all the licensing objectives, and where they do not action can be taken.

## **2. Issue, Options and Analysis of Options**

- 2.1. There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.
- 2.2. Brentwood Council’s Licensing Policy is currently being renewed. The revised policy public consultation has recently closed, and the final revised policy will be presented to the next Ordinary Council meeting for adoption. This policy does not currently include a CIA.
- 2.3. The concept of “Cumulative impact” is described within the statutory guidance and used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. ‘CIAs’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.



- 2.4. In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 2.5. A Cumulative Impact Assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. A CIA creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.
- 2.6. Section 5A of the 2003 Act sets out what a licensing authority needs to do in order to publish a CIA and review it, including the requirement to consult with the persons listed in section 5(3) of the 2003 Act. The 2003 Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are the same in areas with a CIA as they are elsewhere, as set out in sections 18, 35, 72 and 85 of the Act. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(6D) a 110 | Revised Guidance issued under section 182 of the Licensing Act 2003 licensing authority must also have regard to any CIA it has published when determining or revising its statement of licensing policy.
- 2.7. As noted above, there must be an evidential basis for the decision to publish a CIA. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:
- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;

- statistics on local anti-social behaviour offences;
  - health-related statistics such as alcohol-related emergency attendances and hospital admissions;
  - environmental health complaints, particularly in relation to litter and noise;
  - complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
  - residents' questionnaires;
  - evidence from local and parish councillors; and
  - evidence obtained through local consultation.
- 2.8. The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:
- trends in licence applications, particularly trends in applications by types of premises and terminal hours;
  - changes in terminal hours of premises;
  - premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.
- 2.9. Where existing information is insufficient or not readily available, but the licensing authority believes there are problems in its area resulting from the cumulative impact of licensed premises, it can consider conducting or commissioning a specific study to assess the position. This may involve conducting observations of the night-time economy to assess the extent of incidents relating to the promotion of the licensing objectives, such as incidences of criminal activity and anti-social behaviour, examples of public nuisance, specific issues such as underage drinking and the key times and locations at which these problems are occurring.
- 2.10. Discussion has begun between Brentwood Council as the Licensing Authority and partner agencies to consider if there are community safety concerns in Brentwood Town Centre resulting from the cumulative impact of licensed premises, and is there likely to be sufficient or readily available evidence that may support a CIA.

### **3. Reasons for Recommendation**

- 3.1. To consider the evidence available and establish whether it is sufficient enough to support the introduction of a CIA in Brentwood Town Centre.

#### **4. Consultation**

4.1. There is no requirement to consult at this stage.

#### **5. References to Corporate Plan**

5.1. None

#### **Implications**

##### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)**  
**Tel/Email: 01277 312829/[jacqueline.vanmellaerts@brentwood.gov.uk](mailto:jacqueline.vanmellaerts@brentwood.gov.uk)**

Any officers time that is out of hours in order to complete the review, will be reimbursed through overtime. This can be met from within existing budgets within Licensing.

Any further financial impacts should be met from within existing budgets. If a CIA is introduced, then officers will be required to determine if the introduction of this would have any financial implication. This would be presented through a future report.

##### **Legal Implications**

**Name & Title: Steve Summers, Strategic Director & Monitoring Officer**  
**Tel & Email: 01277 312500/[steve.summers@brentwood.gov.uk](mailto:steve.summers@brentwood.gov.uk)**

Any work undertaken by the Council, either by itself or in partnership will be in line with statutory legal guidance

##### **Economic Implications**

**Name/Title: Phil Drane, Director of Place**  
**Tel/Email: 01277 [312610/phil.drane@brentwood.rochford.gov.uk](mailto:phil.drane@brentwood.rochford.gov.uk)**

The night-time economy plays an important role in the economic life of the borough, particularly Brentwood town centre. Many businesses benefit from the demand for evening leisure, although as the report notes this can come with some negative consequences. It will be important for licensed premises to contribute to the local economy in a positive way, offering enjoyable and safe experiences. The council's Economic Development team should be involved in the review of cumulative impacts from licensed premises, alongside those partners listed in the recommendation and other key stakeholders (including local businesses and representatives, like the Brentwood Business Partnership).

##### **Equality and Diversity Implications**

**Name/Title: Kim Anderson, Partnerships, Leisure & Funding Manager**  
**Tel/Email: 01277 [312634/kim.anderson@brentwood.gov.uk](mailto:kim.anderson@brentwood.gov.uk)**

The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- A. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- B. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- C. Foster good relations between people who share a protected characteristic and those who do not include tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

The proposals in this report will not have a disproportionate adverse impact on any people with a particular characteristic and will provide positive benefits to some of these groups

#### **Health & Wellbeing Implications**

**Name/Title: Jo Cory, Corporate Health & Wellbeing Officer**

**Tel/Email: 01277 312500/jo.cory@brentwood.gov.uk**

The Cumulative Impact Assessment will enable the Council to monitor licensable premises to enable them to contribute positively to the Health and wellbeing of Brentwood.

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

#### **Background Papers**

None

#### **Appendices to this report**

None.

<b>Committee:</b> Ordinary Council	<b>Date:</b> 2 November 2022
<b>Subject:</b> Employee Pay Award 2022/23	<b>Wards Affected:</b> All
<b>Report of:</b> Jonathan Stephenson – Chief Executive of Brentwood Borough Council & Rochford District Council	<b>Public</b>
<b>Report Author/s:</b> Name: Jacqueline Van Mellaerts - Corporate Director (Finance & Resources) & Section 151 Officer Telephone:01277 312500 E-mail: <a href="mailto:jacqueline.vanmellaerts@brentwood.gov.uk">jacqueline.vanmellaerts@brentwood.gov.uk</a>  Name: Nichola Mann – Human Resources Manager Telephone:01277 312500 E-mail: <a href="mailto:Nichola.mann@brentwood.gov.uk">Nichola.mann@brentwood.gov.uk</a>	<b>For:</b> Decision

## Summary

This report explains the national position on the local government pay offer for 2022/23 and the implications and risks if the Council was to continue with the budgeted 2% pay award within the 2022/23 budget.

## Recommendation(s)

### **Members are asked to:**

- R1.** Approve the proposed National Joint Council (NJC) pay offer for 2022/23, as set out in paragraph 9 of this report, is adopted for Brentwood employees, subject to the final negotiations.
- R2.** Approve the proposed Joint Negotiating Committee (JNC) pay offer for 2022/23, as set out in paragraph 12 of this report, is adopted for Brentwood employees, subject to the final negotiations.
- R3.** Delegated authority is given to the Chief Executive and Head of Paid Service to amend Brentwood's Pay Policy statement to reflect the revised pay scales for 2022/23.

## **Main Report**

### **Introduction and Background**

1. The National Joint Council (NJC) determines pay as well as terms and conditions of employment for Local government services' workers. It has 70 members: 12 on the employers' side and 58 on the trade union side.
2. In 1997, the NJC for Local Government Services agreed a national framework with potential for local modification to suit local service requirements. Known as The Single Status Agreement, these pay and conditions of service agreements are published in the Green Book.
3. The Joint Negotiating Committee (JNC) for Chief Executives and Chief Officers of Local Authorities is the national negotiating body for the pay and conditions of service of chief executives and chief officers in England and Wales. The Authorities' Side consists of elected members nominated by the Local Government Association and the Welsh Local Government Association. The Staff Side consists of chief executives nominated by the Association of Local Authority Chief Executives and Senior Managers (ALACE). ALACE is registered as an independent trade union.
4. They help councils develop a framework for their roles and responsibilities as employers. This covers the relationships between council employers and their employees, including individual rights and collective arrangements.
5. The Localism Act 2011 requires councils to produce and publish a Pay Policy Statement. According to the Act and statutory guidance published in 2012 and 2013, the statement should include the local authority's policy on specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments, and transparency arrangements.
6. Brentwood's Pay Policy was updated in June 2022 to reflect the Strategic partnership with Brentwood Borough Council and Rochford District Council. For the avoidance of doubt, a Chief Officer is an employee of the Leadership Team which comprises of the Chief Executive, 3 Strategic Directors and 9 Directors.

## Issue, Options and Analysis of Options

7. Brentwood Borough Council is not part of the NJC or the JNC and pay is set locally. On 23 February 2022 the Council agreed to include a 2% pay award within the 2022/23 Budget for Brentwood employees. The 2% currently costs c£249k for current budgeted staffing levels for both general fund and HRA account and has been factored into the current Medium Term Financial Strategy (MTFS).
8. Negotiations for the national Local Government pay 2022 have been ongoing between the national employees and the trade unions throughout the year, a summary of the negotiations to date have been set out below.

### National Joint Council (NJC)

9. In July 2022, the National Employers have agreed unanimously to make the following one-year (1 April 2022 to 31 March 2023), final offer to the unions representing the main local government National Joint Council workforce:
  - with effect from 1 April 2022, an increase of £1,925 on all NJC pay points 1 and above
  - with effect from 1 April 2023, an increase of one day to all employees' annual leave entitlement
  - with effect from 1 April 2023, the deletion of pay point 1 from the NJC pay spine.\*

\*For clarity, if agreed, Brentwood would look to align our pay scales to ensure our minimum pay point is reflective of the NJC proposal.

10. The Council received an update from the Local Government Association (LGA) that UNISON's members have voted by 63.5% to 36.5% to accept the National Employers' final pay offer for local government services. Further details can be found [Here](#)
11. In order for the pay deal to be finalised so that it can be implemented and paid to employees, GMB and/or Unite must also vote to accept the employers' offer. Unite's membership consultation closed on 14 October 2022 and have decided to reject the employer's offer. GMB's closed on 21 October 2022. The NJC unions will meet on 1 November 2022 to discuss the results of their respective consultations, the LGA are hoping for a positive outcome.

## Joint Negotiating Committee (JNC)

12. Following the Officer's side and ALACE's pay claim on 6 & 8 June respectively, in July 2022, the national employers agreed to make the following one-year offer. Further details can be found on the following links. [Chief Executive's](#) & [Chief Officer's](#)

- With effect from 1 April 2022, an increase of £1,925 on basic salary (basic salary should exclude other separately identified payments such as Returning Officer fees etc)

13. ALACE has responded to the Employers pay claim for chief executives on 20 October 2022, rejecting their offer. At the time of writing this report, negotiations continue, with no firm agreement approved.

## Analysis of Options

14. The Council could continue with its current budgeted pay offer of 2%, however with the NJC and JNC offers that are in negotiation, it is expected there will be multiple negative impacts for the Council should the current local pay offer not be reviewed. By continuing with 2% the expected risks are:

- National Living Wage inconsistencies.
- Staff retention and recruitment.
- Pay awards in comparable sectors e.g. NHS.
- Staff morale.
- Cost of living and inflationary increases for employees.

15. By following the national pay offer, it is expected this will create parity and equality for employees, not only for the strategic partnership between Brentwood and Rochford but across all other Essex Authorities as well as meet statutory requirements for the National Living Wage.

16. A recommendation has been made by the Chief Executive and Head of Paid Service in consultation with the Leader of Brentwood Borough Council, to adopt the NJC and JNC final pay negotiations for one year only for 2022/23.

17. If it is approved, Brentwood's Pay Policy statement including pay scales will need to be updated, delegated authority is requested for the Chief Executive and Head of Paid Service to action any necessary amendments.



### National Living Wage (NLW)

18. The current national living wage (NLW) is £9.50 per hour from April 2022. Our current spinal column points (SCP) within Grade A and the bottom of Grade B sit below this. Employees receive a supplement to ensure they are receiving the NLW.
19. Forecasted NLW is expected to rise to £10.50 per hour from April 2023 and £11.33 per hour from April 2024. If the council continues at a 2% pay award for this year SCP's within Grade C will also not meet the future NLW requirements.
20. The Local Government Association (LGA) are proposing the increase of £1,925, to create some headroom for 2023 to account for these expected increases in the NLW against the NJC pay scales.
21. The Council needs to consider to also create some headroom within our 2022/23 pay scales to meet the proposed NLW requirements. By including the £1,925 increase the impact on our lowest pay scales will be as follows:

Grade/ SCP	Annual Salary	Monthly Salary	Hourly Rate	NLW 2022	Agreed 2%	With increase of proposed £1,925	NLW 2023 (predicted)
A/11	18,044	1,505	9.35	9.50	<b>9.54</b>	<b>10.35</b>	10.50
B/12	18,405	1,535	9.54	9.50	<b>9.73</b>	<b>10.54</b>	10.50

22. The table shows that an increase of £1,925 will give further headroom to meet predicted NLW requirements for 2023, however consideration for employees on Grade A will need to be reviewed. All Pay scales will continue to be monitored and reviewed in order to meet the predicted NLW for 2024 and future years.

### Employee leaver data

23. There are employees that do decide to leave the organisation, this could be due to sickness, retirement, personal circumstances, pay related concerns or other matters.
24. Of the data and reasons available, between April 2021 to March 2022 we had 19 leavers, 5 of which stipulated that they left to take up a role with a higher salary. Between April 2022 to October 2022, we had 24 leavers, 6 of which stipulated that they left to take up a role with a higher salary. This equates to

approximately 25% of leavers and this is expected to increase if Brentwood's pay scales do not reflect the national position on local government pay.

### Essex Local Authorities

25. The Chief Executives commissioned work to draw together various budget assumptions across all the Essex Authorities. Data has been collated amongst the authorities regarding Pay Awards for 2022/23 and 2023/24.
26. Of the 12 district/borough Council's across Essex, 7 authorities follow the NJC pay scales, and will have to amend their budget assumptions to account for the expected increases if the £1,925 is increased across all pay scales. 5 authorities do not follow NJC pay scales and have local pay arrangements.
27. However, all authorities have reviewed their original budget assumptions for local authority pay awards. Almost all authorities have increased their budget assumptions from approximately the original base positions of 2% to 4%-6.7% including those that have local pay arrangements, to account for the national negotiations.
28. Brentwood could continue with the 2% already included within the MTFs, however almost all Essex authorities are looking to increase their pay, including Rochford District Council, who follow the NJC pay scales.
29. Brentwood wants to create parity across our neighbouring partners, as well as ensure we retain staff on our payroll and maintain staff morale across the organisation.

### **Reasons for Recommendation**

30. To ensure Brentwood's pay scales create parity and across Local government sector, neighbouring authorities and meet statutory National Living Wage requirements.

### **Consultation**

31. Staff have been advised that a report will be brought to Ordinary Council for a decision.

### **References to Corporate Strategy**

32. To develop an empowered culture within the organisation and motivated workforce.

## Implications

### Financial Implications

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources) and Section 151 Officer**

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

33. The approximate financial impact if the national offer is agreed is as follows, based on current budgeted staffing levels. The additional amount required for both General fund and HRA accounts will be **c£505k**

	<b>Current Budget 2022/23 2% Pay Award</b>	<b>Top up to £1,925 (additional amount required)</b>	<b>Total of £1,925 Pay Award</b>
	£	£	£
General Fund	220,615	439,377	659,992
HRA	28,021	65,674	93,694
<b>Total</b>	<b>248,636</b>	<b>505,051</b>	<b>753,687</b>

34. However, the actual in year effect for 2022/23 will be expected to be lower, due to the Council's actual payroll, high vacancy factor and the reversal of the National Insurance 1.25% increase which was included within the 2022/23 budget.
35. If the recommendations in the report are agreed, it is expected that the actual financial implications can be managed in the short term for 2022/23 by using earmarked reserves at year end, specifically funding volatility. Therefore the Budget 2022/23 will not need to be amended in year.
36. By approving the 2022/23 NJC and JNC pay award, this will also affect the 2023/24 budgeted position, with similar implications as 2% has only been included in the base budget for future years. The Council will have to manage this increase whilst preparing the 2023/24 Budget. With the removal of the 1.25% national insurance increase and £1,925 proposed by award. The net increase to the base budget for 2023/24 could be approximately £584k to the General fund.

	<b>Salaries in 2023/24 Base Budget (includes 2% pay award)</b>	<b>NI assumptions reversed and Pay award of £1,925 added to salaries</b>	<b>Forecasted net increase to salaries in base budget 2023/24</b>
General Fund	12,412,760	12,996,610	583,850
HRA	1,529,494	1,617,974	88,480
<b>Total</b>	<b>13,942,254</b>	<b>14,614,584</b>	<b>672,330</b>

37. An analysis of % increases across all pay grades of the organisation is shown below, if the £1,925 is awarded.

<b>% Increase</b>	<b>No of posts</b>	<b>Bottom Grade</b>	<b>Top Grade</b>
10%	8	A11	B14
9%	22	B15	C18
8%	76	D19	D22
7%	65	D23	E26
6%	26	E27	F31
5%	47	F32	G37
4%	29	H38	J46
3%	24	J49	ELT2.3
2%	9	CD1	SD4
1%	1	Chief Exec	

#### **Legal Implications**

**Name & Title: Steve Summers, Strategic Director and Monitoring Officer**

**Tel & Email: 01277 312500/steve.summers@brentwood.gov.uk**

38. There are no direct legal implications arising from this report.

#### **Economic Implications**

**Name/Title: Phil Drane, Director of Place**

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

39. Ensuring the Council maintains a healthy pay scale position, will continue to create growth and prosperity across the organisation.

## **Equality and Diversity Implications**

**Name/Title: Kim Anderson, Corporate Manager (Communities, Leisure & Health)**

**Tel/Email: 01277 312500/kim.anderson@brentwood.gov.uk**

40. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
  - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - c. Foster good relations between people who share a protected characteristic and those who do not include tackling prejudice and promoting understanding.
41. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
42. The proposals in this report will not have a disproportionate adverse impact on any people with a particular characteristic.

## **Background Papers**

43. None.

## **Appendices to this report**

44. None

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