

Ordinary Council

Agenda

Part One

Council Chamber - Town Hall

Wednesday, 22 October 2014 at 7.00 pm

Membership (Quorum – 10)

Councillors

Cllrs Mrs Davies (Chair), Keeble (Vice-Chair), Aspinell, Baker, Barrett, Carter, Chilvers, Clark, Cloke, Mrs Cohen, Mrs Coe, Faragher, Mrs Henwood, Hirst, Mrs Hones, Hossack, Mrs Hubbard, Kendall, Kerlake, Le-Surf, Lloyd, McCheyne, Mrs McKinlay, Morrissey, Mrs Murphy, Mynott, Dr Naylor, Newberry, Parker, Quirk, Reed, Russell, Ms Sanders, Sapwell, Sleep, Mrs Squirrell and Tee

Committee Co-ordinator: Jean Sharp (01277 312655)

Members are respectfully summoned to attend the above meeting to transact the business set out below.

Additional Information:

Notice of an Amendment

Notice of an amendment to a recommendation or motion on the agenda for a Council meeting may be given by two members to the Monitoring Officer by 10.00 am **four working days** before the day of the meeting but amendments arising from the debate at the Council meeting on a motion or recommendation will always be considered.

Questions to a Committee Chair

A brief written report by each Committee Chair covering their area of responsibility will be circulated with the agenda for each Council meeting.

Any member may ask a Chair written or oral questions on:

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

The period allowed for written and oral questions and answers will not exceed **60 minutes** without the leave of the Mayor and such leave will only be granted in exceptional circumstances.

Written questions to a Committee Chair

A member may ask a written question if notice in writing of the question has been received by the Monitoring Officer no later than 10.00 am **four working days** before the day of the Council meeting. Questions will be dealt with in the order in which notice was received.

An answer may take the form of:

- (a) a direct oral answer; or
- (b) a reference to a publication, where the information is in a publication of the Council or other published work; or
- (c) where the reply cannot conveniently be given orally (for example if is in the form of diagrams), a written answer will be circulated to all members at the meeting.

Each questioner is entitled to ask one supplementary question arising directly out of either the reply to the original question or where the questioner considers that the reply requires clarification.

Oral questions

After questions and answers under Rule 7.4 have been dealt with, any member may ask one question of a Chair under Rule 7.2.

No supplementary question shall be put except if the questioner considers that the reply requires clarification and the Mayor gives leave to the questioner to ask a supplementary question.

Point of Order/Personal explanation/Point of Information

For clarity, relevant sections of Rule 8 of the Council's Procedure Rules (Part 4.1 of the Constitution) are set out for Members' information below:

8.3.14 Point of order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

8.3.15 Personal explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

8.3.16 Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of information or clarification should be used on exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

Access to Information and Meetings

You have the right to attend all meetings of the Council and its Boards and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.brentwood.gov.uk or from Democratic Services (01277 312739).

Webcasts

All of the Council's meetings are webcast, except where it is necessary for the items of business to be considered in private session (please see below).

If you are seated in the public area of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you can sit in the upper public gallery of the Council Chamber.

Private Sessions

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Board or Committee does so, you will be asked to leave the meeting.

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Access

There is wheelchair access to the Town Hall from the Main Entrance. There is an induction loop in the Council Chamber.

Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.

Part I

(During consideration of these items the meeting is likely to be open to the press and public)

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4.	Questions from the Public Two questions had been received prior to publication of the agenda.	All Wards	19 - 20
5.	Memorials or Petitions Two notices of the intention to present a petition had been received prior to publication of the agenda.	All Wards	
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10.	Warley Training Centre - Acquisition of 5 residential units Appendices 1, 2 and 3 to	Warley	59 - 64

Item 10 – Warley Training Centre – Acquisition of 5 Residential Units are classified as exempt, under Paragraph 4 of Schedule 12A of the Local Government Act 1972 and will not be available for public viewing due to commercial sensitivity.

- 11. Notices of Motion**
Three notices of Motion have been received.

65 - 66

- 12. Urgent Business**
An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.



Acting Chief Executive

Town Hall
Brentwood, Essex
07.10.2014

Minutes

Ordinary Council 2 July 2014

Membership/Attendance

- | | |
|--------------------|----------------------|
| * Cllr Aspinell | * Cllr Le-Surf |
| * Cllr Baker | * Cllr Lloyd |
| Cllr Barrett | * Cllr McCheyne |
| * Cllr Carter | * Cllr Mrs McKinlay |
| * Cllr Chilvers | * Cllr Morrissey |
| * Cllr Clark | * Cllr Mrs Murphy |
| * Cllr Cloke | * Cllr Mynott |
| * Cllr Mrs Coe | * Cllr Dr Naylor |
| * Cllr Mrs Cohen | * Cllr Newberry |
| * Cllr Mrs Davies | * Cllr Parker |
| Cllr Faragher | * Cllr Quirk |
| * Cllr Mrs Henwood | * Cllr Reed |
| * Cllr Hirst | * Cllr Russell |
| * Cllr Mrs Hones | * Cllr Ms Sanders |
| * Cllr Hossack | * Cllr Sapwell |
| * Cllr Mrs Hubbard | * Cllr Sleep |
| * Cllr Keeble | * Cllr Mrs Squirrell |
| * Cllr Kendall | * Cllr Tee |
| * Cllr Kerlake | |

*present

Officers Present

Jo-Anne Ireland – Director of Strategy and Corporate Services
David Lawson – Monitoring Officer
Tony Pierce – Interim Head of Planning
Jean Sharp – Governance and Member Support Officer

42. Apologies for Absence

Apologies for absence were received from Cllrs Barrett and Faragher.

43. Mayor's Announcements

The Mayor recounted some of the engagements she had undertaken since Annual Council.

44. Memorials or Petitions

None were received.

45. Minutes of previous full council meetings

RESOLVED to approve as a true record the minutes of the following meetings:

Ordinary Council meeting held on 11.12 2013

Ordinary Council (budget) meeting held on 5.3 2014

Extraordinary Council meeting held on 7.4.2014 subject to an amendment being made to minute 430 since it was recorded incorrectly that the petition relating to the Tower Arms would be considered by the Community Services Committee. The decision to include the Tower Arms on the Council's community assets register had been made prior to the meeting through delegation from Strategy and Policy Board.

Annual Council held on 11 June 2014

46. Questions asked by Members of the Public

None had been received.

47. Members Questions to Committee Chairs

Given the short period between the appointment of Chairs at Annual Council and this meeting there were no Chairs' reports before Members and no written questions had been received.

Relevant Chairs responded to Members' verbal questions.

48. Representation on Outside Organisations

Councillors were appointed to a number of outside organisations at the annual meeting of the Council. Many of the outside organisations supported and advanced the broad objectives of the authority.

The decision on the appointment of Council representatives to outside organisations was deferred from Annual Council on 11.6.2014 to this meeting. The list of proposed representatives was before Members.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED the list be approved subject to a change of representative on Brentwood Nighttime Action Group. For clarity, the approved list of representatives is appended to these Minutes.

49. Five Year Housing Land Supply Update

The Council, as a local planning authority, was required to identify and keep up to date a deliverable five year housing land supply, as prescribed in the National Planning Policy Framework (NPPF).

The report before Members provided an update on changes to national planning policy for housing and sought approval for an interim housing figure for use pending progress towards adoption of the new Local Plan

The Interim Head of Planning made a presentation in order to provide more detailed information for Members.

Cllr Baker MOVED and Cllr Mynott SECONDED the recommendations and it was

RESOLVED UNANIMOUSLY that

1. The Interim Five Year housing Land Supply report be approved.
2. The report updating the Five Year Housing Land Supply be brought back to a future meeting of the Committee.

50. Proposals for a Senior Management Restructure

The report before Members in the agenda outlined a proposal for a Senior Management Restructure which included the replacement of the current Managing Director role with that of a Chief Executive role and the replacement of the Head of Business Transformation with a Head of Customer Services role. The support structure for Senior Management would also be reviewed as part of the proposals.

Members noted that since publication of the agenda a supplementary report had been published giving further information and recommendations arising from negotiations with a member of the Senior Management Team.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED the recommendation in the report and a vote was taken on a show of hands. It was

RESOLVED that:

The Council agrees to commence a review of the Senior Management structure with a view to replacing the current Managing Director role with a Chief Executive role and the Head of Business Transformation role with a Head of Customer Services, subject to appropriate consultation.

Members then considered the supplementary report and the appendix which contained exempt information.

The report outlined additional information and recommendations arising from negotiations with a member of the Senior Management Team.

The current Managing Director (MD) had taken the decision to leave the Council ahead of the restructuring process under agreed terms between both parties which negated the requirement for consultation on converting the MD role to one of a Chief Executive.

It was proposed that the Director of Strategy and Corporate Services (Section 151 Officer) would undertake the role of Head of Paid Service pending the recruitment of a Chief Executive.

Cllr Aspinell **MOVED** and Cllr Lloyd **SECONDED** the recommendations in the supplementary report.

The matter was fully debated and Cllr Quirk **MOVED** and Clark **SECONDED** that the question now be put. A vote was taken on a show of hands, it was **CARRIED** and Members moved to the vote.

In accordance with Part 4.1 of the Constitution, Rule 9.5, five Members requested a recorded vote be taken and Members voted as followed:

FOR: Cllrs Aspinell, Baker, Carter, Chilvers, Clark, Mrs Cohen, Mrs Davies, Mrs Hubbard, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mynott, Newberry, Quirk, Sapwell and Squirrell (18)

AGAINST: Cllrs Cloke, Mrs Coe, Mrs Henwood, Hirst, Mrs Hones, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Dr Naylor, Parker, Reed, Russell, Ms Sanders, Sleep and Tee (16)

ABSTAIN: Cllr Hossack (1)

It was **RESOLVED** that:

1. Council agrees to end the contract for the existing Managing Director with effect from 6 July 2014.
2. Council agrees to proceed with the recruitment of a permanent Chief Executive.
3. Council agrees to appoint Jo-Anne Ireland, Director of Strategy and Corporate Services as the Head of Paid Service pending the recruitment of a Chief Executive which will include an acting up allowance equivalent to the current basic salary effective from 1 June 2014.

APPOINTMENTS TO OUTSIDE ORGANISATIONS 2014/15

Organisation	Nomination for 2014/15
Active Brentwood (Community Sports and Health Communication and Networking Group)	Cllr Clark
Brentwood Access Group	Cllr Mrs Davies
Brentwood and District Age Concern	Cllr Henwood Cllr Mrs Davies
Brentwood Arts Council	Cllr Mynott
Brentwood Community Print	Cllr Mrs Hubbard Cllr Tee
Brentwood Community Safety Partnership	Cllr Newberry
Brentwood Community Transport	Cllr Kendall
Brentwood Council for Voluntary Service	Cllr Keeble Cllr Tee
Brentwood Cricket Club	Cllr Russell
Brentwood Football Club Management Committee	Cllr Aspinell Cllr Sapwell Cllr Lloyd
Brentwood for Growth (formerly Brentwood First)	Cllr Kendall Cllr Chilvers
Brentwood/Landkreis Roth Town Twinning Association	Cllr Mrs Davies (Mayor - president) Cllr Keeble (Deputy Mayor – Vice president) Cllr Mrs Hones Cllr Sapwell Cllr Barrett
Brentwood Leisure Trust	Cllr Quirk Cllr Baker
Brentwood/Montbazon Town Twinning Association	Cllr Mrs Davies (Mayor - president) Cllr Keeble (Deputy Mayor – vice president) Cllr Mrs Coe Cllr Le-Surf Cllr Mrs Squirrell Cllr Tee
Brentwood MIND	Cllr Chilvers
Brentwood Renaissance Group	Cllr Baker

	Cllr Kendall Cllr Keeble Cllr Morrissey
Brentwood Rugby Club Pavilion Management Committee	Cllr Aspinell Cllr Sapwell Cllr Morrissey
Brentwood Theatre Trust	Cllr Le-Surf Cllr Baker
Campaign to Protect Rural Essex - Advisory Council	Cllr Mrs Cohen Cllr Mrs Hubbard
Citizens Advice Bureau	Cllr Mrs Henwood Cllr Clark
Conservators of Shenfield Common – protection of Shenfield Common.	Cllr Morrissey Cllr Barrett Cllr Baker Mr D Minns (Chair and nominee of the Lord of the Manor) Mr W Baker Mr J Fair Ms J Scholfield
Crossroads Care	Cllr Mrs Henwood
East and West Horndon Village Hall Committee	Cllr Squirrell
Essex Police and Crime Panel	Cllr Newberry Sub Cllr Lloyd
ECC Local Highways Panel – membership of four County members and four BBC members	Cllr Baker, Cllr Morrissey, Cllr Mrs Cohen (Vice-chair), Cllr Cloke, Cllr Parker
Hartwood Golf Club	Cllr Baker Cllr Le-Surf
Headley Common Trustees	Cllr Mrs Hubbard (4-year term expires May 2018) Cllr Tee (4-year term expires August 2018) Mr Wild (4-year term expires May 2018) Mr Murray (4-year term expires August 2018)
Health and Wellbeing Board	Cllr Mrs Davies Cllr Carter

Herongate Village Hall Management Committee	Cllr Mrs Squirrell
Howard Memorial Trust	Cllr Mrs Squirrell
Hutton Charities	Cllr Hirst (4-year term expires May 2018) Cllr Ms Sanders (4-year term expires May 2018)
IAA Member Working Group (Formerly Essex Waste Management Joint Committee)	Cllr Sapwell
Mental Health Champion (Elected Member)	Cllr Barrett
SNAP	Cllr Tee
South Essex Parking Partnership Representative	Cllr Newberry
South Weald Parish Hall Management Committee	Cllr Mrs Coe Cllr Chilvers
South West Essex Children's Commissioning and Delivery Board (Brentwood and Basildon)	Cllr Mrs Davies
Tenants Talkback	Chair and Vice-Chair of Housing & Health Committee
Three Arch Bridge Community Hall	Cllr Morrissey Cllr Barrett
Youth Strategy Group	Cllr Sapwell
Consultative groups	
Brentwood Nighttime Action Group	Cllr Newberry Cllr Russell Cllr Barrett TBC
Taxi Trade Consultative Group	Cllr Mrs Cohen Cllr Barrett Cllr Reed
Health & Safety Committee	Cllr Lloyd

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22 October 2014

Ordinary Council

Questions from the Public

Report of: *Jo-Anne Ireland – Acting Chief Executive*

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 In accordance with the Council's Constitution, a member of the public resident within the Borough may ask a maximum of two questions relating to the business of the Council providing notice has been received by 10.00am two working days before the relevant meeting.
- 1.2 If the person wishing to ask the question is not present at the meeting when the item is called the question(s) will be deleted from the list of questions to be asked.
- 1.3 Every question asked pursuant to rule 11.1 of the Constitution shall be put and answered without discussion but the Member to whom the question has been put may decline to answer. An answer may take the form of a direct oral answer at the Council meeting or where there has been insufficient time to research an answer, a written answer will be sent to the questioner.
- 1.4 At the time of publication of the agenda two questions had been received from Mrs Gearon-Simm, as follows:

1. ' For the majority of people who hear of the Bedroom Tax and who are not affected by it, the idea that people in council housing should only be able to have a 'spare room', if they pay extra rent for it, can at first sound seductively sensible.

If Brentwood Borough Council believes that this is sensible, will the Bedroom Tax be continued by the present administration'.

2. 'The shadow Chancellor, Ed Balls, has promised to cut ministerial pay by 5% if the Labour party are elected to government in 2015.

On 11 June 2014 at the Ordinary Council meeting under Item 15, the majority of Councillors voted themselves a 1% pay rise.

Many people have not had a pay rise for a long time.

Are there any councillors in the chamber who would be prepared to state in public that they have not taken this pay rise?'

Report Author Contact Details:

Name: Jean Sharp

Telephone: 01277 312655

E-mail: jean.sharp@brentwood.gov.uk

22 October 2014

Ordinary Council

Members' Questions on Chairs' Reports

Report of: *Jo-Anne Ireland – Acting Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 In accordance with the Council's Constitution a brief written report by each committee Chair covering their area of responsibility is included in this agenda.
- 1.2 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.
- 1.3 The period allowed for Chairs' reports, written and oral questions and answers will not exceed 60 minutes without leave of the Mayor.

2. Appendices to this report

Appendix A – Chairs' reports

Report Author Contact Details:

Name: Jean Sharp

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Appendix A

Report to the Council 22 October 2014

Committee: Asset & Enterprise Committee

Chair: Councillor Russell Quirk

Since July 2014 there have been two meetings of the Asset & Enterprise Committee, and a number of key decisions have been made, and detailed information provided on key issues affecting the Council.

The Committee discussed the following issues:

- An Asset Management Strategy was drafted and approved. The Strategy sets out the key actions for 2014/15 including; an asset challenge review; delivery of major projects; developing housing for social and private tenants; maximize revenue and capital receipts.
- The sale of Warley Training Centre for the development of 38 residential units of which 35% will be affordable has been approved on improved terms.
- The possibility of transferring the vacant site at Hallsford Bridge to HRA for the development of affordable residential units has been investigated.
- Options other than the sale of Old House are being examined to determine whether there better outcomes to the Council.
- The regularisation of the Advertising Hoardings at Ongar Road, Chatham Way & William Hunter Way and recovery of arrears has been satisfactorily achieved.
- The sale of Bell Mead, Ingatestone was approved to provide 14 residential units 5 of which are to be affordable units.
- A Health & Safety Review and an independent survey of the roof to the Hutton Community Centre has been undertaken to ensure compliance with regulatory requirements and ensure the building is safe to use.
- A report was presented to the Committee on 17 September relating to the resolution of the Guardian Trustee position of the Council at Herongate & Ingrave Village Hall.
- Reports were presented to the Committee on the 17 September on the review of expired leases and un-actioned rent reviews and also the asset review as part of the Asset Management Strategy.

Report to the Council 22 October 2014

Committee: Audit and Scrutiny Committee

Chair: Councillor Graeme Clark

Statement of Accounts:

The Statement of Accounts was received on time and agreed at the meeting on 30 September. The deadline of 30 September causes practical problems each year and the Chair would like to thank all Officers and Ernest & Young, the auditors, for their hard work in meeting the deadline despite a number of last minute issues.

Internal Audit Plan:

Members noted the plan and agreed that this was working.

Strategic Assessment of Risk Review

Revision had been completed and presented at the meeting on 30 September. The revised risk register is clear, concise and more focused than previously.

There will be a Members' training workshop on risk on 30 October and the Chair encouraged as many as possible to attend as this is an area that all can contribute to.

Fraud Statistics:

Fraud Statistics were discussed at both the July and September meetings. The Chair wished to thank Officers for all their work on following up referrals which have been proven to be illegal. A complete analysis was presented at the September meeting.

Scrutiny Work Programme:

Members have agreed this but it should be noted that this is also flexible; so if additional work needs to be included the Chair will discuss further with Members.

First Task and Finish Group has completed work for LCTS and reported back on 30.9.14. Their recommendation will be presented to Ordinary Council in December.

Work on WHW and HCC is also in process with an additional meeting agreed for 28 October where items on these issues will be reported back.

The Chair would like to thank all Members and Officers who are working on these task and finish groups.

Report to the Council 22 October 2014

Committee: Business & Town Centres

Chair: Councillor David Kendall

A *Business Directory* is being developed in order to support businesses and progress the Economic Development agenda for the Borough. This will enable us to understand who our businesses are so that we can engage, support and communicate with them effectively to support their growth and development. The last business listing was undertaken as a hard copy directory in 2008 and is out of date. Half of the borough's businesses have already been contacted and the exercise will be completed in early 2015/6 (from next years budget),

A free *Brentwood Business Funding and Advice Event* is being held on Wednesday 29 October 2014 in partnership with Invest Essex's Innovation Programme at Hutton Poplar Hall. The event is an opportunity for businesses to find out about the different types of business advice, grants and funding that is available to support your business, and to network with other businesses. A range of exhibitors will be available on the day who can provide information and advice to support business covering areas such as grants, loans, business rate relief, business mentoring and advice, start-up support, European and Regional funding, bid writing and working with universities. There is the option of booking one of two sessions (2-4pm or 4-6pm).

A proposal has been developed to recruit four *apprenticeships* within the Council subject to the additional resources (£83,000) being agreed as part of the 2015/16 budget setting process.

Research is being undertaken to establish the feasibility of developing and supporting a *Schools Careers Fair* in February 2015.

A proposal has been developed to support *commissioning and implementing a visitor website*, subject to future resourcing for the on-going promotion and servicing of this website being resolved and determined by Council in March 2015 as part of the budget setting exercise.

Approval has been granted for the *introduction of a charge for night time parking* to commence from 20 October 2014. This will be monitored and the outcome will be reported back to the Business and Town Centre Committee in February 2015.

The *Brentwood Borough Council Renaissance Group* is developing *Business Trade Clusters* to deal with matters and issues at a local trade level and inviting Cluster representatives to attend BB Renaissance Group meetings. The Clusters will help to address the declining engagement with traders and their input into Renaissance Group projects, bids and decision making.

A Brentwood Borough Renaissance Group website has been commissioned. This will provide a marketing and promotional tool for the Renaissance programme, including the ability to submit funding bids online and individual Cluster Groups pages.

Business Trade Cluster bids have for *Small Business Saturday and Crown Street Market*. Bids are being developed for Shenfield Christmas Lighting Up Event and Ingatestone Christmas Victorian Evening. Brentwood Borough Renaissance Group will be supporting the calligraphy and presentation of *the Medieval Market Town translated charters*, and materials used, for permanent display at the Town Hall. Costs will be split between Renaissance Group bid funding, the Chamber of Commerce and private business sponsorship.

A Friday High Street market has been successfully launched to complement the Saturday market and the development of a regular Saturday Community Market for Crown Street.

Business and Town Centre Committee members have been asked to consider the proposal to *introduce Teenage Markets, Evening Markets and German/Continental style Christmas market for 2015.*

Renaissance Group is supporting the funding of the venue and promotional costs for *three Business Support Workshops* at Merrymeade House, supplied by Pro-actions, Business Improvement Specialists. The first topic is Marketing for Growth and an Introduction to Social Media on 11 November, followed by Business Planning and finally How to Move Your Business to the Next Stage in early 2015. This is being promoted widely including through the new Business Directory contacts.

Report to the Council 22 October 2014

Committee: Environment Committee

Chair: Councillor William Lloyd

Since July 2014 there have been two meetings of the Environment Committee, and a number of key decisions have been made, and detailed information provided on key issues affecting the Council.

The Committee discussed the following issues:

- Education programme – this provided an update on the excellent work that is being carried out by depot staff, working with schools and promoting recycling to our residents through a number of road shows.
- MOT testing – it was agreed to develop a business case to implement an MOT service at the Warley depot, a further decision will be made by the Asset and Enterprise committee on a way forward for a number of entrepreneurial services, including MOT testing.
- Tree Warden scheme – the committee has agreed to develop the tree warden scheme, and a promotional campaign will commence to increase the number of volunteers participating, and working closely with the current countryside volunteers.
- Textile collections – the Council agreed that textile collections will be considered for our residents, but consultation will take place with local charities to identify any impact on them before a final decision.
- Fire Authority – it has been agreed that officers will develop further the partnership arrangements that were put in place for the winter gritting during 2013/14. Discussions will be held to identify other opportunities to enhance community services, and work closely with the neighbourhood action team.
- Closure of Crown Corner – the recycling centre at Crown Corner has been a problem for some time and has suffered from increased flytipping. A meeting with Kelvedon Hatch Parish Council confirmed their support to close the site, and discussions will be held with other Parish Council's, and local ward councilors to identify other sites that could be closed, or where new sites could be placed.
- Highway Maintenance - A positive discussion has taken place with Essex County Council regarding future road repairs, which could provide more opportunities for Members to be involved in discussions relating to highway repairs through the Local Highways Panel.

Report to the Council 22 October 2014

Committee: Finance and Resources Committee

Chair: Councillor Barry Aspinell

Review of Elections:

Members were presented with proposals for a review of the election process which would include;

- Reviews of the current cycle of elections;
- Polling day practices;
- Verification and count procedures;
- Impact of Individual Electoral Registration (IER);
- Possible marketing campaigns to promote electoral registration and voting.

The Committee agreed that any significant changes to the election cycle would need to be presented at Full Council for approval.

The Committee resolved to support a review of elections and a further report will be presented at the meeting on 29 October 2014.

Performance:

In June Members of the Committee considered key reports on:

- 1) Provisional Outturn 2013/14
- 2) Annual Treasury Management Report 2013/14
- 3) Performance Indicators 2014/15

Organisational and People Development Strategy and Staff Survey:

Members were advised of the outcomes of the Staff Survey carried out in February 2014.

Following the results of the survey the below actions have been undertaken;

- Manager's workshops held throughout June;
- Organisation and People Development Strategy has been compiled;

- Action Plan has been drawn up by Managers to support the delivery of the Organisation and People Development Strategy.

Members noted the results of the survey and supported the implementation of the Organisation and People Development Strategy.

A further Staff Survey will be carried out December/January.

Revised Health and Safety Policy:

The Committee agreed that following a revision of the Health and Safety Policy, to show current organisational and management structure, this Policy be approved.

Corporate Health and Safety continues to enhance employee safety within the council. This has been brought about through improvements to the on line accident reporting system enabling higher accountability, the continued production of risk assessments for high risk activities, employee training for lone working and ladder safety.

Business Continuity and Emergency Planning

After a full appraisal of the Business Continuity and Emergency Planning provisions in place, these are being thoroughly revised and remodelled to provide more specific actions needed to be taken by services and their managers when the need arises. Part of this work will include training for managers and staff.

Communications Protocols:

Members were advised of revisions to the Communications Protocols document, which outlined the increase of the use of Twitter as a medium for engaging with residents. Alongside this Members were presented with a new Communications Strategy for 2014/15, which aims to support delivery of the Council's strategic priorities set out in the Corporate Plan 2013-2016.

Members were also advised of protocols which should be adopted when using social media in a political sense.

Members also agreed that in addition to the recommendations in the report, the Public Information Panel would continue to be made up of three members – two from the administration and one from the opposition.

Future Work

- Work has commenced on the Medium Term Financial Plan (MTFP) – this will start with a review of the current year budget which will be presented to Committee on 29 October 2014.
- A Residents Survey was undertaken earlier this year to provide much needed baseline data on customer opinions. This will also be presented at the October meeting.

Report to the Council 22 October 2014

Committee: Housing & Health Committee

Chairperson: Councillor Ross Carter

Affordable Housing Strategy

A key objective of the Housing and Health Committee is to promote the development of Affordable Housing in the Borough. To help us achieve a sustainable approach to the development of Affordable Housing for Brentwood, to provide much needed homes we require an Affordable Housing Strategy.

An Affordable Housing Strategy Workshop is to be held on 6 October 2014, facilitated by an independent consultant; to help Members and Officers agree the vision and decide the setting of priorities for Brentwood.

In the short term Officers and Members are identifying under used Garage and car park sites, to explore the possible future use for development of Affordable Housing.

Essex Landlords Accreditation Scheme

The Essex Landlords Accreditation Scheme (ELAS) is a new scheme set up by Essex Local Authorities to promote and encourage landlords of privately rented homes to manage their properties to a high standard.

The scheme will be operated by Blue watch (part of the fire service) as an impartial organisation; to provide landlords with advice and confidence to discuss housing related issues regarding their properties and tenants. Blue watch will work closely with all of the local authorities in the scheme, helping to set and achieve the best possible level of management.

The launch of the ELAS took place at Kelvedon Park on the 25 September 2014 and was attended by the Vice Chair of Housing Cllr Vicky Davis and Cllr Hirst.

Housing and Health Committee on the 9 July 2014 approved permission for the Housing team explore the setting up of ELAS in Brentwood subject to our legal team reviewing the Contract and researching further information on costs to Landlords. An update and proposed implementation plan will be submitted to Housing and Health Committee on the 5 November 2014.

Annual Report to Residents

In exchange for light-touch regulation from the Homes and Communities Agency, providers of affordable housing, have to demonstrate their ongoing commitment to working with tenants and leaseholder's to provide help and support to enable Residents to scrutinise the delivery of good housing management services.

The publication of the Annual Report although no longer a compulsory requirement; is recognised as best practice. Tenants Talk Back group have been working with Officers from the Housing team on the production of the Annual Report; the Annual Report is due for publication in November 2014.

Food Safety

Food Safety enforcement continues to routinely inspect and sample from food premises. Over 96% of food premises continue to be broadly compliant with food law maintaining high standards for consumers within the borough. The Borough continues to sample foods for the presence of allergens within Chinese and Indian food takeaways in partnership with Essex County Council's Trading Standards.

Health and Safety Enforcement

Health and safety enforcement is focusing on project interventions rather than routine enforcement as the main thrust of its actions to bring about compliance where high employee risk has been identified. Safety within care homes including window security to prevent falls from residencies above ground floor is one such example.

Fire at Thoby Priory, Mountnessing

Environmental Health officers have been involved in a multi-agency response to the fire at Thoby Priory Mountnessing. The fire started in a large pile of wood waste on a site which was under investigation by the Environment Agency for illegal waste disposal. Since the fire started on 18th August there have been regular teleconferences involving Essex Fire and Rescue, the Environment Agency, Police, Environmental Health and the Leader to update and discuss issues relating to control of the fire. We have been involved in dealing with concerns from local residents about air quality issues and have taken advice from Public Health England's advisors to initiate a programme of air quality monitoring in the vicinity of the site.

Report to the Council - 22 October 2014

Committee: Licensing

Chairperson: Councillor Liz Cohen

The licensing team is working closely with and promoting the membership of BASLE (Brentwood Association for Safer Licensed Establishments). BASLE is the Brentwood Equivalent to PubWatch with an aim of discussing and working together to promote best practice within the local licensed alcohol and entertainment industries.

Some 60 plus premises have been visited over the last two months with all being invited to attend an open evening at the Holiday Inn on 6 October 2014. The purpose of the meeting was to re-enforce the benefits and purpose of BASLE and to introduce various members of the licensing team and other key responsible authorities to the trade members. By promoting free and open communication it is intended that all key stakeholders may be able to work together for the betterment of the borough.

There was an exceptional turnout with approximately 70 attendees who heard presentations from the Police, Trading Standards, and the Council's noise control and licensing teams. Contact details were recorded from all attendees to improve future two way communication. All agreed that this provided a valuable forum to improve safety standards and reduce anti-social behaviour by promoting best practice. This will also benefit the local economy. Further meetings of this nature are planned.

Report to the Council - 22 October 2014

Committee: Planning and Development Control

Chairperson: Councillor Phil Baker

On taking up the Chairmanship of the Committee, Cllr Mynott, Vice Chairman, and I met with all the planning and building control staff to reassure them of our commitment to improving the service and working together with staff. We intend to modernise the running of the service in line with many other authorities that have already done so, with a report coming to the next Council on changes to delegations, new committee terms of reference and updated protocols. These changes will increase the efficiency and consistency with which planning decisions are taken and also importantly improve staff morale. Even more significant is that I am advised that there is potential for up to £100,000 savings per annum, going forward, in the medium to long term. This has been an aspiration for the Planning Department for some time now and Phil Mynott and myself wish to drive this through under our watch.

The production of a new Local Plan is our top priority for the year and, subject to good progress with suppliers and partners, by the end of the calendar year, we should have a revised consultation draft, without a large strategic allocation at West Horndon, and that meets our full housing need. We have increased staff for this important project to give us a chance of having a submission draft approved by the Council by the end of April and adoption of the new Local Plan by the end of 2015.

Our other priority is customer service, where we are reviewing and improving our pre-application procedures and building upon a recent, strong increase in performance. I'm pleased to note in recent months, a steep increase in the number of both pre-applications and applications. This reflects continued strong developer interest and investment in our Borough and has contributed to the need for additional meetings of the Planning & Development Committee.

Lastly, we welcome Gordon Glenday, our new Head of Planning & Development, and ask that we all give our support to him in his new role and again thank Tony Pierce for his leadership over the past six months.

22 October 2014

Ordinary Council

Changes to Council Representation on Outside Organisations

Report of: *Jo-Anne Ireland, Acting Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

1.1 Councillors were appointed as Council representatives for a number of outside organisations and representation for the 2014-15 municipal year was approved at the 2 July 2014 Ordinary Council meeting. Since then, some additions and amendments needed to be made and the following appointments were proposed:

- (i) Brentwood Nighttime Action Group – Cllr Baker to be added
- (ii) Brentwood Renaissance Group – Cllr Hossack to be added
- (iii) Health and Wellbeing Board – Cllr Ms Sanders to replace Cllr Carter
- (iv) ECC Local Highways Panel – Cllr Clark to replace Cllr Mrs Cohen

2. Recommendation(s)

2.1 Members are requested to approved the proposed amendments to Council Representatives on Outside Organisations as follows:

- (i) Brentwood Nighttime Action Group – Cllr Baker to be added**
- (ii) Brentwood Renaissance Group – Cllr Hossack to be added**
- (iii) Health and Wellbeing Board – Cllr Ms Sanders to replace Cllr Carter**
- (iv) ECC Local Highways Panel – Cllr Clark to replace Cllr Mrs Cohen**

Report Author Contact Details:

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22 October 2014

Ordinary Council

The Review of Polling District & Polling Places (Parliamentary Elections) Regulations 2006

Report of: Carole Tatton-Bennett – Electoral Services Manager

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 This report is to consider the comments received in connection with the statutory review of polling districts and polling places and confirm the arrangements.

2. Recommendation(s)

- 2.1 **It is recommended that Members reconfirm the schedule of Polling Districts and Polling Places without modification.**

3. Introduction and Background

- 3.1 The Council is required to conduct a review of polling districts and polling places within the Parliamentary Constituency in accordance with the above regulations.
- 3.2 Details of the existing arrangements were circulated to Ward Councillors in June and the relevant public notices were displayed. The existing polling district provisions having proved satisfactory, the Acting Returning Officer has made no recommendations for modification of the polling districts and polling places.

4. Issue, Options and Analysis of Options

- 4.1 One comment was received in relation to the JB polling district within the Hutton South Ward. This related to the fact that some electors who had

previously voted at the Hutton Free Church were now required to go to the Hutton & Shenfield Union Church. This arrangement has been in place since the boundary review in 2001 that saw the creation of the Hutton Central Ward.

- 4.2 The Hutton & Shenfield Union Church is located within the Hutton South Ward. It is a suitable building with sufficient capacity and local electors are familiar with the location. The alternative suggestion of the Hutton Free Church is outside the Ward, being located within Hutton Central, and currently operates a double station for the electors of that particular Ward. It does not have the capacity to accommodate another polling station. Therefore, no modification of the existing arrangements is proposed.
- 4.3 A further comment has been received from a Ward Councillor regarding the polling provisions in respect of the GA polling district within the Hutton East Ward and it has been suggested that the revamped Hutton Community Centre would make a suitable polling station for electors in Hutton East.
- 4.4 Members will be aware that, following the closure of Hutton Parish Hall, it was necessary to relocate the polling station for the GA polling district to Willowbrook Community Hall, which was the nearest available suitable building. The description of the polling place was modified at that time to allow for alternative premises within one mile of the Rayleigh Road/Wash Road junction to be utilised. The Acting Returning Officer is aware that residential building taking place adjacent to the Willowbrook site has impacted on parking provision and access for electors. There is also a question of capacity within the hall, bearing in mind the higher turn-out expected at the Parliamentary Election in 2015.
- 4.5 Discussions are ongoing regarding securing suitable polling station accommodation to serve Hutton East Ward and the Acting Returning Officer will be advising electors of any changes to polling stations as soon as the details are confirmed. As the Hutton Community Centre and other venues are located within the polling place previously defined, no other action is required in this respect to facilitate the relocation.

5. Reasons for Recommendation

- 5.1 To meet the statutory requirements with regard to conducting elections.

6. Consultation

6. Statutory provisions have been met and are detailed above.

7. References to Corporate Plan

7.1 Accords with the objectives set out under 'A Modern Council'.

8. Implications

Financial Implications

Name & Title: Jo-Anne Ireland, Acting Chief Executive

Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk

8.1 As there are no planned alterations to the polling districts and polling places, there would be no financial implications arising from this decision.

Legal Implications – Monitoring Officer Comment

Name & Title: Christopher Potter, Monitoring Officer & Head of Support Services

Tel & Email 020 8227 3389 / chris.potter@brentwood.gov.uk

8.2 The Council has a statutory obligation to carry out a periodic review of the polling districts and polling places within the borough and this report meets that requirement.

9. Appendices to this report

Appendix A - Schedule of polling districts and polling places

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Schedule of Polling Districts and Polling Places

for that part of the Brentwood & Ongar Parliamentary Constituency that falls within the Borough of Brentwood

Ward	Polling District	PD code	Existing Polling Place	Proposed Polling Station
Brentwood North	St Georges	AA	The polling district	St. George's Church Hall, Ongar Road (no change)
Brentwood North	Headley Walter	AB	The polling district	Doddinghurst Road Church, Doddinghurst Road (no change)
Brentwood North	St Charles	AC	The polling district	Bardswell Social Club, Weald Road (no change)
Brentwood South	Hogarth	BA	The polling district	Hogarth Primary School, Riseway (no change)
Brentwood South	Queens Road	BB	The polling district	Cathedral Small Hall, Ingrave Road (no change)
Brentwood South	Three Arches	BC	The polling district	Three Arch Bridge Community Hall, Maple Close (no change)
Brentwood South	Thrift Park	BD	The polling district	St Stephen's, St Stephens Crescent (no change)
Brentwood West	Crescent Road	CA	The polling district	Victoria Court, Victoria Road (no change)
Brentwood West	Clements Park	CB	The polling district	Holly Trees Primary School, Vaughan Williams Way (no change)
Brentwood West	Honeypot	CC	The polling district	South Weald Parish Hall, London Road (no change)
Brentwood West	St Faiths	CD	The polling district	Kings Hall, Kings Chase (no change)
Brizes & Doddinghurst	Kevedon Hatch	DB	Kevedon Hatch Village	Kevedon Hatch Village Hall, School Road (no change)
Brizes & Doddinghurst	Navestock	DC	Navestock Side	Navestock Village Hall, Navestock Side (no change)
Brizes & Doddinghurst	Doddinghurst	DD	Doddinghurst Village	Doddinghurst Village Hall, Church Lane (no change)
Herongate, Ingrave & West Horndon	Herongate & Ingrave	EA	Ingrave Village	Ingrave Church Hall, School Lane (no change)
Herongate, Ingrave & West Horndon	West Horndon	EC	West Horndon Village	East & West Horndon Village Hall, Thorndon Avenue (no change)
Hutton Central	St Martins	FA	The polling district	Hutton Free Church, Hanging Hill Lane (no change)
Hutton East	Hutton Park	GA	The area within a mile radius of the junction of Rayleigh Road and Wash Road	Community Hall or Willowbrook Primary School, Rosen Crescent, or Hutton Community Centre, Harrison Close (no change)
Hutton East	Haverings Grove	GB	The polling district	Seventh Day Adventist Church Hall, North Drive (no change)
Hutton North	Coram Green	HA	The polling district	St Peter's Church Hall, Claughton Way (no change)

Ward	Polling District	PD code	Existing Polling Place	Proposed Polling Station
Hutton North	Long Ridings	HB	The polling district	Long Ridings Primary School, Long Ridings Avenue (no change)
Hutton South	Hutton Mount	JA	The polling district	Hutton & Shenfield Union Church, Roundwood Avenue (no change)
Hutton South	Thriftwood	JB	Within ¼ mile radius of the junction of Brockley Grove/Roundwood Avenue	Hutton & Shenfield Union Church, Roundwood Avenue (no change)
Ingatestone, Fryerning & Mounthnessing	Fryerning	KA	The polling district	Fryerning Parish Rooms, Mill Green Road (no change)
Ingatestone, Fryerning & Mounthnessing	Heybridge	KB	The polling district	Parish Room, Catholic Church, Roman Road (no change)
Ingatestone, Fryerning & Mounthnessing	High Street	KC	The polling district	Ingatestone & Fryerning Community Centre, High Street (no change)
Ingatestone, Fryerning & Mounthnessing	The Furlongs	KD	The polling district	Christy Hall, Pemberton Avenue (no change)
Ingatestone, Fryerning & Mounthnessing	Mounthnessing	KE	Mounthnessing Village	St John's Church Hall, Church Road (no change)
Pilgrims Hatch	Bishops Hall Park	LA	The area within the polling district to the south of Hatch Road	Bishops Hall Park Community Centre, Elizabeth Road (no change)
Pilgrims Hatch	Larchwood Gardens	LB	The area within ¼ mile radius of the junction of Larchwood Gardens and Ongar Road, Pilgrims Hatch	Larchwood Primary School, Larchwood Gardens (no change)
Shenfield	Shenfield	MA	The polling district	Shenfield Parish Hall, Hutton Road or Shenfield Library, Hutton Road (no change)
South Weald	Brook Street	NA	Within ¼ mile radius of Brook Street/London Road junction	South Weald Parish Hall, London Road (no change)
South Weald	Weald Park	NB	South Weald Village	The Belli Centre r/o St. Peter's Church, Weald Road (no change)
South Weald	Coxtie Green	NC	The polling district	St Paul's Church Centre, Mores Lane (no change)
Tipps Cross	Blackmore	PA	Blackmore Village	Blackmore Village Hall, Nine Ashes Road (no change)
Tipps Cross	Stondon Massey	PB	The area within 700 yards radius of Brooks Farm, Stondon Massey	Stondon Massey Village Hall, Ongar Road (no change)
Tipps Cross	Hook End and Wyatts Green	PC	Hook End	Tipps Cross Remembrance Hall, Blackmore Road (no change)
Warley	Great Warley	QA	The polling district	Christ Church Centre, Warley Hill (no change)
Warley	Hartswood	QB	The polling district	Warley Primary School, Chindits Lane (no change)

Ward	Polling District	PD code	Existing Polling Place	Proposed Polling Station
Warley	Little Warley	QC	Little Warley Village	Little Warley & Childerditch Village Hall, Maggie Lane (no change)
Warley	Warley Mount	QD	The polling district	Methodist Church Hall, Warley Hill (no change)

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22 October 2014

Ordinary Council

Whole Council Elections

Report of: *Ben Bix, Corporate and Democratic Services Manager*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

1.1 This report advises Council of its power to change its electoral scheme to whole council elections. Brentwood Borough Council operates an election scheme by thirds¹, holding a Borough election three years out of four. The typical cost to the Council of a *shared* election is £69,000; the cost of a *sole* Borough Council election is £95,000. Whole council elections offer a potential saving of between £138,000 and £195,000 over a four year cycle. The Council can change its electoral cycle should it resolve to do so.

1.2 In order to resolve to change its electoral cycle, the Council must:

- a) Have taken reasonable steps to consult such persons as it thinks appropriate on the proposed change;
- b) Convene an extraordinary meeting of Council to consider the proposed change;
- c) Have at least two-thirds of those voting at the extraordinary meeting of Council vote in favour of the proposed change; and
- d) Ensure that the year for the first ordinary whole council election is specified in the resolution. This cannot be the same year(s) as whole council elections for the County Council.

1.3 This report initiates step a) above and facilitates step b).

2. Recommendation(s) That:

2.1 Council resolves to consult interested parties on whole council elections for Brentwood Borough Council; and

2.2 An extraordinary meeting of Council be convened on 10 December 2014, at the rising of Ordinary Council.

3. Introduction and Background

- 3.1 Part 1, sections 7, 8 and 9 of the Local Government Act 1972 provide the electoral scheme for Local Authorities in England. As a non-metropolitan district in a two-tier county, Brentwood is one of 62 such Councils that elect its councillors by thirds. 132 non metropolitan district councils conduct whole council elections on a 4 yearly cycle.
- 3.2 Chapter 1 of the Local Government and Public Involvement in Health Act 2007, as amended by Chapter 5 of the Localism Act 2011, enables non-metropolitan districts to change their electoral cycle.
- 3.3 The Finance and Resources Committee of 30 June 2014 resolved to explore the potential for whole council elections for the Borough of Brentwood.
- 3.4 The election scheme for the Borough is a matter reserved for Council to decide. An Extraordinary Council, with due notice being given, would be convened at the rising of Ordinary Council on 10 December 2014. A two thirds majority of those voting² would be required to change the Borough election cycle to whole council elections. Two thirds of 37 is 25.³

4. Issue, Options and Analysis of Options

- 4.1 The Electoral Commission in its report *The cycle of local government elections in England, 2004*, recommended that **all** local authorities should hold whole council elections once every four years. The report emphasised that the current pattern of local election cycles was unnecessarily complicated and confusing and that many electors did not know when or why local elections were being held in their area. Furthermore, the report noted that a political administration with a term of four years, rather than one year, should ensure greater efficiency and effectiveness in local authorities.
- 4.2 The Local Government Association Peer Review report on Brentwood Borough Council 2014 said that the Council should “*Look medium to longer term as we saw no strategic plan or horizon scanning beyond 2016. One quotation was “we don’t have an answer beyond the next two years”.*”

² An abstention is not a vote

³ 24.66

4.3 Comparison of whole council elections and election by thirds

Election by thirds	Whole council elections
	A council has a 4 year mandate, allowing it to adopt a strategic approach to policy and decision making in line with a medium term financial strategy
The risk of electing a complete change of Councillors with no experience is mitigated	Allows for a complete change in Councillors
Allows the electorate to judge the Council three years out of four	The Council has a longer term to deliver its mandate before being judged by the electorate
More likely to be influenced by local rather than national policies	
Residents are accustomed to electing Borough councillors 3 years out of 4	
The majority of District Councils in Essex elect by thirds (7 of 12)	
	Parliament and the European Parliament hold whole parliament elections every 5 years
	The County Council has whole council elections every four years
	The Police and Crime Commissioner is elected for a 4 year term
More opportunities for people to stand for election	
More opportunities to vote	
	Over a 4 year cycle whole council elections could cost £138,000 - £195,000 less than election by thirds
Possible by-elections can be scheduled to co-incide with the next election by thirds to reduce cost	

4.4 Nationally, the number of district councils electing by thirds is **decreasing** (62) whilst the number of councils operating a scheme of whole council elections is **increasing** (132).

- 4.5 There are 12 district councils in Essex⁴. The election cycle for each council is shown below.

Whole council elections	Election by thirds
Braintree	Basildon
Chelmsford	Brentwood
Maldon	Castle Point
Tendring	Colchester
Uttlesford	Epping Forest
	Harlow
	Rochford

Permitted resolution options

- 4.6 Should the Council, having taken reasonable steps to consult, resolve to change its electoral cycle to whole council elections, it must specify the year in which whole council elections would take place.

Should the Council resolve to conduct whole council elections in **2015**, then it would join the majority of district councils conducting whole council elections on that day. The Borough elections would be combined with the Parliamentary general election⁵ and seven parish elections. Council should note that the count for the Parliamentary general election would take precedence over the Borough and parish counts. In line with other authorities, the Borough count would take place on the Sunday following the election day.

- 4.7 The Council would still be required to conduct an election for the final third of councillors under the previous scheme (by thirds) in 2015 (Section 24, 5, Localism Act 2011) if it were to resolve to conduct whole council elections in 2016, 2018 or 2019.
- 4.8 Should the Council resolve to conduct whole council elections in **2016**, it would join less than ten district councils conducting whole council elections on that day. Borough and two parish elections would be combined with the election of the Police and Crime Commissioner.
- 4.9 The Council may **not** resolve to conduct whole council elections in **2017**. 2017 and every fourth year thereafter is a County Council election year in accordance with the cycle set by the Local Government Act 1972. The Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011 preserve that cycle.

⁴ Southend and Thurrock are unitary councils.

⁵ The Brentwood and Ongar Parliamentary constituency includes the electoral area of Ongar from Epping Forest District Council consisting of an additional 16 polling stations and 16,000 electors.

- 4.10 Should the Council resolve to conduct whole council elections in **2018**, there would currently be no district councils conducting whole council elections on that day.
- 4.11 Should the Council resolve to conduct whole council elections in **2019**, then it would join the majority of district councils conducting whole council elections on that day. Borough and parish elections in 2019 would be combined with elections to the European Parliament.
- 4.12 If the Council resolves to change to whole council elections, it will be unable to pass another resolution to change the scheme before the end of five years beginning with the day on which the earlier resolution was passed.

Turnout

- 4.13 Turnout data for Essex districts is provided below. Whole council elections last took place in 2007 and 2011. Turnout for those councils electing by thirds in those years is also shown for comparison. 2011 also included the alternative vote referendum.⁶

Council	2007 Turnout	2011 Turnout	Whole or Thirds
Basildon	30.0	34.8	Thirds
Braintree	37.0	42.8	Whole
Brentwood	38.9	46.1	Thirds
Castle Point	32.5	41.0	Thirds
Chelmsford	35.9	44.3	Whole
Colchester	34.7	41.6	Thirds
Epping Forest	34.4	39.1	Thirds
Harlow	33.5	37.0	Thirds
Maldon	25.3	44.2	Whole
Rochford	31.6	40.8	Thirds
Tendring	37.9	43.7	Whole
Uttlesford	-	48.8	Whole

Impact on Parish Councils

- 4.14 Section 53 of the Local Government and Public Involvement in Health Act 2007 provides for Brentwood Borough Council to make an Order to change the year of parish elections to coincide with the date of whole council elections for the Borough Council. The Order would make transitional provision for the retirement of parish councillors.
- 4.15 The cost of parish council elections are met by parish councils.

⁶ The potential impact of *Individual Electoral Registration* on turnout is not known.

- 4.16 There are nine parish councils in the Borough of Brentwood. Parish Council elections coincide with the Borough election for the ward in which the parish council is located. Elections to parish councils are scheduled every four years but will only take place if the number of candidates nominated in each parish is not greater than the number of vacant seats. The current schedule is shown overleaf.

2015	2016
Herongate and Ingrave	Blackmore, Hook End and Wyatts Green
Ingatestone and Fryerning	Doddinghurst
Kelvedon Hatch	
Mountnessing	
Navestock	
Stondon Massey	
West Horndon	

Impact on the number of councillors in each ward

- 4.17 Annual Council 2013 resolved unanimously to request the Local Government Boundary Commission for England (LGBCE) to review the number of members at Brentwood Borough Council.
- 4.18 The LGBCE *may* conduct a review at the request of the council should it resolve to elect the whole council every four years *and* has expressed a desire to move to a uniform pattern of single member wards across the authority. In conducting any such review, the LGBCE would be required to have regard to the desirability of securing single member wards. The LGBCE *must* take account of its statutory requirement to achieve good levels of electoral equality, reflect community identities and interests and provide for convenient and effective local government.
- 4.19 If Council resolves to conduct whole council elections in 2015, the existing multi member wards would remain for that election. Council instruction would be sought on the desirability of single member wards post the 2015 election. Similarly, if Council were to resolve to conduct whole council elections from 2016, a further report to Council would be required to consider an approach to the LGBCE.

5. Reasons for Recommendation

- 5.1 That the Council considers consulting interested parties on whole council elections for Brentwood Borough Council.

6. Consultation

- 6.1 The Local Government and Public Involvement in Health Act 2007 does not stipulate how the Council must consult on changes to its electoral cycle. The Act states that the Council need to have ‘taken reasonable steps to consult on the change’ and that ‘it is for the council to decide which persons it is appropriate to consult’. No minimum or maximum timescale for consultation is described.
- 6.2 A simple majority of Councillors at Ordinary Council would be required to resolve to consult on whole council elections. There is no requirement to seek a two thirds majority for the purposes of resolving whether to consult.

Indicative level of response

- 6.3 A sample of the number of responses to consultation elsewhere on whole council elections is tabulated below.

Council	Year of consultation	Number of responses
Hertsmere	2014	77
Stroud	2014	39
Swale	2011	311
Purbeck	2010	105
Barrow	2009	86
Amber Valley	2009	30

- 6.4 Acknowledging best practice elsewhere, the desirable consultation method for Brentwood would be the creation of a web based survey using existing skills and resources. The proposed consultation period is six weeks. It is for Council to decide by simple majority to proceed to formal consultation. For clarity, the preliminary stage that has shaped this report is also shown.

Consultation

- 6.5 The Deputy Leader of the Council will lead the consultative stage. All Group Leaders will be invited to the consultative sessions as outlined.

Consultee	Method	Timing
<i>Preliminary stage</i>		
Finance and Resources Committee	Report to Committee	30 June 2014
Other councils, the electoral commission and the Local Government Boundary Commission for England	Officer discussions and desktop research	July and August 2014
Officer/Lead Member discussions	Informal, at monthly Accord Chairs and Vice Chairs and at Shadow Chairs meetings	July and August 2014
Group Leaders	Discussion led by the Deputy Leader of the Council	September 2014

Consultee	Method	Timing
<i>Consultative stage</i>		
Agreement of Ordinary Council by simple majority to proceed with formal consultation	By report to Ordinary Council	22 October 2014
Residents	Press release and weekly social media engagement through Twitter (4000 interested parties) and Facebook	23 October 2014
Interested Parties	Posters on Council notice boards, in libraries and other suitable places	23 October 2014
Parish Councils	Individual meetings with Parish Chairs, posters for parish notice boards.	November 2014
Member of Parliament	By letter	November 2014
Essex County Council	By letter to Leader	November 2014
Neighbouring Councils	By letter to Leaders	November 2014
Political parties active in Brentwood but not represented on Brentwood Borough Council	As appropriate	November 2014
Brentwood Chamber of Commerce	By offering a presentation at a scheduled meeting during consultation period	November 2014
Federation of Small Businesses	By offering a presentation to the Federation of Small Businesses	November 2014

Close of consultation, 5pm 8 December 2014

7. References to Corporate Plan

- 7.1 *A Modern Council* - the trend amongst Councils is to move away from elections by thirds to whole council elections as part of improving governance arrangements.

8. Implications

Financial Implications

Name & Title: Jo-Anne Ireland, Acting Chief Executive and S151 Officer

Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 8.1 The cost of consultation would be met within existing Council resources.
- 8.2 The typical cost to the Council of a *shared* election is £69,000; the cost of a *sole* Borough Council election is £95,000. Whole council elections offer a potential saving of between £138,000 and £195,000 over a four year cycle depending on the number of other elections during that period.

Legal Implications

Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services

Tel & Email 01277 312860 / christopher.potter@brentwood.gov.uk

- 8.3 This report complies with the requirements of the legislation relevant to whole council elections.

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

- 8.4 Paper copies of the consultation would be made available to those requesting such.

9. Background Papers (include their location and identify whether any are exempt or protected by copyright)

- The Electoral Commission *The cycle of local government elections in England*, January 2004
- Agenda and Minutes of the Finance and Resources Committee, 30 June 2014
- Minutes of Annual Council 2013
- Whole council elections reports from Hertsmere, Stroud and Tunbridge Wells.

10. Appendices to this report

- Appendix A – Proposed Elections Consultation Poster
- Appendix B – Proposed Elections Consultation Form

Report Author Contact Details:

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Telephone: 01277 312550

E-mail: ben.bix@brentwood.gov.uk

Appendix A

How often should we elect Borough councillors?

Brentwood Borough Council is considering changing its current election cycle and would like to know what you think. The Council is asking residents how often they should vote for their councillors. Legislation allows the Council to ask interested parties whether to make changes to how often local elections take place.

Current arrangements

The Council currently operates an **election by thirds** scheme where voters go to the polls three times over a four year period. There are 37 councillors who are elected for a 4 year term. Each year one third of councillors are up for election with the exception of the fourth year in which no elections take place.

Proposed change

The Council would like your views on whether to change to **whole council elections**, which means that all 37 councillors would be elected at the same time every four years. The table below shows how the two schemes differ.

Election by thirds	Whole council elections
	A council has a 4 year mandate, allowing it to adopt a strategic approach to policy and decision making in line with a medium term financial strategy
The risk of electing a complete change of Councillors with no experience is mitigated	Allows for a complete change in Councillors
Allows the electorate to judge the Council three years out of four	The Council has a longer term to deliver its mandate before being judged by the electorate
More likely to be influenced by local rather than national policies	
Residents are accustomed to electing Borough councillors 3 years out of 4	
The majority of District Councils in Essex elect by thirds (7 of 12)	
	Parliament and the European Parliament hold whole parliament elections every 5 years
	The County Council has whole council elections every four years
	The Police and Crime Commissioner is elected for a 4 year term
More opportunities for people to stand for election	
More opportunities to vote	
	Over a 4 year cycle whole council elections could cost £138,000 - £195,000 less than election by thirds
Possible by-elections can be scheduled to co-incide with the next election by thirds to reduce cost	

Please visit www.brentwood.gov.uk and complete our short survey form.

This consultation will close at 5pm on 8 December 2014

The Council will decide whether to move to whole council elections on the evening of 10 December 2014 at a special meeting. A two thirds majority of Councillors voting in favour of whole council elections is required. The meeting will take place at the Town Hall and interested parties and residents are welcome to attend. The meeting will be webcast at www.brentwood.gov.uk

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Brentwood Borough Council is considering changing its current election cycle and would like to know what you think. The Council is asking residents how often they should vote for their councillors. Legislation allows the Council to ask interested parties whether to make changes to how often local elections take place.

Current arrangements - Election by Thirds

The Council currently operates an **election by thirds** scheme where voters go to the polls three times over a four year period. There are 37 councillors who are elected for a 4 year term. Each year one third of councillors are up for election with the exception of the fourth year in which no elections take place.

- The risk of electing a complete change of Councillors with no experience is mitigated
- Allows the electorate to judge the Council three years out of four
- More likely to be influenced by local rather than national policies
- Residents are accustomed to electing Borough councillors 3 years out of 4
- The majority of District Councils in Essex elect by thirds (7 of 12)
- More opportunities for people to stand for election
- More opportunities to vote
- Possible by-elections can be scheduled to co-incide with the next election by thirds to reduce cost

Proposed change - Whole Council Election

The Council would like your views on whether to change to **whole council elections**, which means that all 37 councillors would be elected at the same time every four years.

- A council has a 4 year mandate, allowing it to adopt a strategic approach to policy and decision making in line with a medium term financial strategy
- Allows for a complete change in Councillors
- The Council has a longer term to deliver its mandate before being judged by the electorate
- Parliament and the European Parliament hold whole parliament elections every 5 years
- The County Council has whole council elections every four years
- The Police and Crime Commissioner is elected for a 4 year term
- Over a 4 year cycle whole council elections could cost £138,000 - £195,000 less than election by thirds

Let us know what you think below.

This consultation will close at 5pm on 8 December 2014

The Council will decide whether to move to whole council elections on the evening of 10 December 2014 at a special meeting. The meeting will take place at the Town Hall. Interested parties and residents are welcome to attend. The meeting will be webcast at www.brentwood.gov.uk

More information on the council election process can be found at www.brentwood.gov.uk

*1. Should we change the way in which we elect our Borough councillors?

Yes - The council should change to 'whole council' elections, with all 37 Brentwood Borough Councillors elected once every four years.

No - The council should retain the present system of electing Brentwood Borough Councillors by thirds.

You are welcome to leave a comment in the box below.

General Information (Voluntary)

The questions on this page are optional. You may answer as many or as few questions as you wish. Any information you give will be kept confidential.

2. Are you a Brentwood Resident?

Yes

No

3. What is your postcode?

4. How would you describe your gender?

Female

Male

5. What is your age group?

Under 18

46-55

18-25

56-65

26-35

66-75

36-45

75+

6. Did you vote at the last Borough election held in May 2014?

Yes

No

7. To which of these groups do you consider you belong?

White British

Black or Black British - African

White Irish

Any other Black background

Any other White background

Asian or Asian British - Indian

White and Black Caribbean

Asian or Asian British - Pakistani

White and Black African

Any other Asian background

White and Asian

Chinese and Other ethnic groups - Chinese

Any other Mixed background

Any other ethnic background

Black or Black British - Caribbean

If this is a paper copy, please return it to Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex, England, CM15 8AY, or hand it to your Ward Councillor.

22 October 2014

Ordinary Council

Warley Training Centre – Acquisition of 5 Residential Units

Report of: John R Parling, Strategic Asset Manager

Wards Affected: Warley

This report is: Public

1. Executive Summary

- 1.1 The Asset & Enterprise Committee on 15 July 2014 resolved “That conditional contracts for the sale of the property are exchanged with the highest and most compliant bidder (Bid B), with the Council then negotiating to retain 5 units for revenue purposes.”
- 1.2 A further report was presented to the Asset & Enterprise Committee on 17 September 2014 confirming that the Council’s solicitors have been instructed regarding the sale and negotiations have been undertaken to retain 5 units at a discount to current values.
- 1.3 Details of the proposed acquisition of the 5 units are set out in Exempt Appendix 1 (Confidential).

2. Recommendation (s)

- 2.1 That delegated authority be given to the Acting Chief Executive to approve and enter into the conditional contract on behalf of the Council relating to the acquisition of the 5 x 2 bedroom apartment units as set out in exempt Appendix 1(Confidential) but such delegated authority shall be conditional upon best consideration relating to such acquisition and the connected disposal being reaffirmed to the satisfaction of the Section 151 Officer at the date of exchange of contracts by an independent RICS (Royal Institution of Chartered Surveyors) qualified surveyor.**
- 2.2 Members are asked to approve a virement from the Parking and Improvement Scheme to address the reduction in the original capital receipt anticipated for this sale.**

3. Introduction and Background

- 3.1 In June 2014 the Council's selling agents were instructed to seek bids from the original parties that submitted bids and also any additional active new entrants into the local market. Offers were requested to be submitted on or before the 11th July 2014.
- 3.2 The potential bidders were advised to submit two bids on the following basis:-
1. A bid on the previous advised basis including the provision of a small community facility, and
 2. A bid to include the price that the developer would transfer different unit types to the Council
- 3.3 Several offers were received and the bidders that submitted the highest and compliant bids were interviewed and the party that submitted the highest original bid (Bid B) has also offered the most attractive proposal relating to the acquisition of the 5 units.
- 3.4 The Heads of Terms with (Bid B) provides for the sale to be conditional on the purchaser obtaining planning permission for 38 residential units plus a community hall of 60sq m (shell but with wc/kitchen) and also a commitment by the Council to acquire 5 units at a pre agreed discounted price. Exempt Appendix 2 (Confidential) illustrates the proposed layout and specification of the units.
- 3.5 The sale proceeds will be reduced by the aggregate prices of the 5 units and the net proceeds will be paid at the completion date for the sale of the land. The contract will require the purchaser to complete the construction of the development within an agreed period of time.

4. Issue, Options and Analysis of Options

- 4.1 The Asset & Enterprise Committee has resolved to exchange contracts with the highest compliant and deliverable bid that also provides the Council with the opportunity to acquire units at the best price.
- 4.2 Terms have been negotiated and agreed with the party that provides not only the highest bid but also the best overall financial outcome in terms of acquiring the 5 units.
- 4.3 The selling agent has provided a report supporting the acquisition of the five residential units (Exempt Appendix 3 (Confidential)).
- 4.4 Prior to exchange an independent valuation will be sought to reaffirm that the sale and acquisitions offer best value to the Council to comply with s123 of the Local Government Act 1972.
- 4.5 Subject to agreement at a future Council meeting, the management of the residential units will be undertaken through a commercial arm of the

Council (Local Authority Trading Company (LATCO) or similar), the form of which was outlined in a report, Commercialisation of Council Services, to the Asset & Enterprise Committee on the 17 September 2014. It is envisaged that the commercial company will be established prior to the completion of the sale of the land (which is likely to be completed by mid 2015).

- 4.6 In the unlikely event that the commercial company is not established within the required timeframe, the management of the units will be undertaken with the assistance of an independent management company utilising a business lease structure. Local Authorities are unable to utilise Assured Shorthold Tenancy contracts (AST) therefore a third party will be appointed to act as the intermediate landlord between the residential tenant and the Council.
- 4.7 In the absence of a commercial company, the 5 units will be held within the General Fund (pending any future decision on a commercial company) and the net proceeds of the rental income will form a direct revenue source to the General Fund.
- 4.8 The proceeds from the sale will be reduced to reflect the cost of the acquisition of the 5 units. The consideration relinquished will be secured by a requirement on the developer to provide the units by an agreed time frame following completion of the sale and also an equivalent legal charge on the land or an alternative arrangement approved by the s151 Officer and the Monitoring Officer.
- 4.9 The acquisition of the 5 residential units is consistent with the approved Asset Management Strategy key actions, in particular, "The Acquisition of Revenue Generating Opportunities".

5 Reasons for Recommendation

- 5.1 To provide the Council with a future revenue stream and with the opportunity to benefit from any capital appreciation of the assets.

6 Consultation

- 6.1 None at this stage

7 References to Corporate Plan

- 7.1 The key criteria for the disposal of the freehold of the freehold interest in this site are linked directly to the Corporate Plan 2013 –16, specifically:
- a) A Prosperous Borough
 - b) Set planning policy that supports discerning economic growth and sustainable development

c) Promote a mixed economic base across the Borough, maximising opportunities in the town centres for retail and balanced night time economy

8 Implications

8.1 Financial Implications

Name & Title: Jo-Anne Ireland, Acting Chief Executive / Section 151 Officer

Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk

The acquisition of 5 units will reduce the original capital receipt anticipated for this asset sale. In order to mitigate the impact this may have on the Council's ability to fund its Capital Programme, the shortfall will be met by a corresponding reduction to the £1.6m Parking and Improvement Scheme (linked to the Crossrail Project). This will be included in the Half Year Budget Review which will be reported to Finance and Resources on 29 October 2014.

8.2 Legal Implications

Name & Title: Christopher Potter, Monitoring Officer & Head of Support Services

Tel & Email 01277 31/ christopher.potter@brentwood.gov.uk

- 8.2.1 The Council's disposal powers are contained in section 123 of the Local Government Act 1972. Under section 123(1) of the Local Government Act 1972 the Council has the power to dispose of land in any manner that they wish.
- 8.2.2 The Council, however, does not have the same complete freedom of action that a private landowner would have as regards disposal and that section 123(1) of the Local Government Act 1972 might at first suggest.
- 8.2.3 The Council is a public authority and is subject to public law restraints. When the Council is entrusted with apparent complete discretion, it must exercise its powers reasonably and in accordance with the relevant statutory purpose.
- 8.2.4 In addition, section 123(2) of the Local Government Act 1972 requires any disposal to be for the best consideration that can reasonably be obtained (unless the disposal is for the granting of or assignment of a lease of seven years or less – which is not the case here). If the consideration is for less than the best consideration that can reasonably be obtained, prior ministerial consent is required.
- 8.2.5 Turning now to powers of acquisition, the Council is again not in the same position as a private landowner. This was made clear by the Court of

Appeal case of R v. Somerset County Council, ex parte Fewings [1995] 1 WLR 1037.

- 8.2.6 The Council has statutory power under section 120(1) of the Local Government Act 1972 to acquire land, whether in their area or outside, 'for the purposes of (a) any of their functions under this or any other enactment, or (b) the benefit, improvement or development of their area'.
- 8.2.7 It is clear that there is a timing aspect as regards the disposal and acquisition and the administration arrangements regarding the management of the intended residential units. Any lack of detailed information relates to a future decision on such arrangements rather than the narrow decision itself on whether to give delegated authority (and if so upon what basis) to proceed with the disposal and acquisition. It is ultimately for Members to satisfy themselves that there is sufficient information before them.
- 8.2.8 The law clearly provides for land to be acquired in scenarios before everything is ready. Section 120(2) of the Local Government Act 1972 specifically states: 'A principal council may acquire by agreement any land for any purpose for which they are authorised by this or any other enactment to acquire land, notwithstanding that the land is not immediately required for that purpose; and, until it is required for the purpose for which it was acquired, any land acquired under this subsection may be used for the purpose of any of the council's functions'
- 8.3 **Other Implications**) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

9 **Background Papers**

None

10 **Appendices**

Appendices 1, 2 and 3 to Item 11 – Warley Training Centre – Acquisition of 5 Residential Units are classified as exempt, under Paragraph 4 of Schedule 12A of the Local Government Act 1972 and will not be available for public viewing due to commercial sensitivity.

11 **Relevant Past Reports**

17 September 2014 – Asset & Enterprise Committee

15 July 2014 – Asset & Enterprise Committee

4 July 2012 - Asset, Infrastructure & Localism Panel

28 February 2012 - Asset, Infrastructure & Localism Panel

Report Author Contact Details:

Name: John R Parling, Strategic Asset Manager

Telephone: 01277 312690

E-mail: john.parling@brentwood.gov.uk

22 October 2014

Ordinary Council

Notices of Motion

Report of: *Jo-Anne Ireland – Acting Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

1.1 Three notices of Motion have been submitted in accordance with the Council's procedure rules.

1.2 Cllr Russell submitted the following motion:

"Members of Brentwood Borough Council believe that membership of the cross party William Hunter Way Working Group should have representation from all elected parties and not just those in the Administration. We agree that in the name of openness, transparency, scrutiny and democracy, the Conservatives should be included proportionate to the number of Council seats held. This will ensure fairness all round."

1.3 Cllr Mrs McKinlay submitted the following motion:

"Part 1

"That, as members of Brentwood Borough Council believe that Crossrail is a major project for the Borough, planning application BRW/14/01016/CROSS stands referred to the Planning and Development Control Committee for consideration and to make a recommendation only and that Council shall itself determine that application, notwithstanding any scheme of delegation."

Part 2:

"That, should the timetable of scheduled meetings of the Planning and Development Control Committee and/or the Council be likely to adversely impact on the legally stipulated timeframe for the determination of planning application BRW/14/01016/CROSS, the Council shall submit a written request to the applicant to consent to an extension of time for

determination and that delegated power be granted to the Acting Chief Executive, in consultation with the Chair of the Crossrail Working Group, the Leader of the Council and the Leader of the Opposition Group, to submit such a request and to call if required such extraordinary meeting or meetings of the Planning and Development Control Committee and the Council as may be necessary."

1.4 Cllr Hirst submitted the following motion:

"That, as this Council is committed to open and transparent procurement for all goods and services, it be reaffirmed that all advisors, project managers and consultants shall only be appointed through a full and proper procurement process as set out in Part 4.6 of the Council's Constitution or otherwise in accordance with that Constitution which meets not only the appropriate legal test but stands up to rigorous public scrutiny.

With reference to the William Hunter Way project, the Council agrees that all documents and communication between the consultants apparently called Leadership & Management and the Council or any member of the Administration be shared with all members and a full investigation be carried out by Audit and Scrutiny in regards to the relationship and level of influence between the consultants, William Hunter Way Working Group and Asset Panel Chairman, with particular regard to any payment or expectation of payment. Full details of all advice, both formal and informal will also be provided, whether given for a fee or pro bono. A full report will come back to the November Panel of Audit and Scrutiny for Members to debate and decide any course of action as deemed necessary by the committee."

Report Author Contact Details:

Name: Jean Sharp

Telephone: 01277 312655

E-mail: jean.sharp@brentwood.gov.uk

Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

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Ordinary Council Terms of Reference

General Powers of Council

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

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

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

Only the Council will exercise the following functions:-

- (a) adopting and approving changes to the Constitution;
- (b) adopting and amending Contract Standing Orders and Financial Regulations;
- (c) agreeing and/or amending the terms of reference for committees and any joint committees, deciding on their composition chairmanship and making initial appointments to them;
- (d) appointing representatives to outside bodies and consultative groups unless the appointment has been delegated by the Council;
- (e) adopting and amending a members' allowances scheme under Chapter 6;
- (f) to elect the Leader and Deputy Leader of the Council;
- (g) to designate the Chairs and Vice Chairs of the Council;
- (h) adoption of the Code of Conduct for Members;
- (i) electoral and ceremonial matters relevant to the Council
- (j) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (k) setting the Council's Budget and Council Tax;
- (l) approving the making of a virement or payment from the Council's reserves for values exceeding £200,000;

