



# Agenda

## Policy, Finance and Resources Committee

Monday, 2 November 2015 at 7.00 pm  
Council Chamber - Town Hall

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### Membership (Quorum-3)

Cllrs Mrs McKinlay (Chair), Hirst (Vice-Chair), Aspinell, Barrett, Clark, Faragher, Hossack, Parker and Russell

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Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 14
3.	Adoption of the Vision for Brentwood 2016-2019	All Wards	15 - 28
4.	Planning Process Review Report to follow.	All Wards	
5.	Licensing the Town Hall Rooms for Wedding, Civil and Celebratory Services	All Wards	29 - 34
6.	Proof of Life Certificate	All Wards	35 - 38
7.	Shenfield Scout Lease	Shenfield	39 - 70
8.	Land Transfer from Essex County Council	Shenfield	71 - 92

- |     |   |                                     |           |
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| 9.  | <b>Hutton Community Centre</b>  | Hutton North                        | 93 - 96   |
| 10. | <b>Mid Year Budget Review 2015/16</b>   | All Wards                           | 97 - 108  |
| 11. | <b>Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2015/16</b> | All Wards                           | 109 - 118 |
| 12. | <b>Town Centre and Town Hall Projects</b><br>Report to follow.  | Brentwood north and Brentwood South |           |
| 13. | <b>Urgent Business</b>  |                                     |           |



Head of Paid Service

Town Hall  
Brentwood, Essex  
23.10.2015

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### Information for Members

#### Substitutes

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The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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#### Rights to Attend and Speak

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Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

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#### Point of Order/ Personal explanation/ Point of Information

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##### Point of Order

A member may raise a point of order at any time. The Chair 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 Chair on the point of order will be final.

##### 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, or outside of the meeting. The ruling of the Chair on the admissibility of a personal explanation will be final.

##### 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 Chair. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Chair gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in 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 Chair 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 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](http://www.brentwood.gov.uk).

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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.

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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.

### **Private Session**

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 Committee does so, you will be asked to leave the meeting.

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



## Minutes

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### Policy, Finance and Resources Committee Tuesday, 15th September, 2015

#### Attendance

Cllr Mrs McKinlay (Chair)  
Cllr Hirst (Vice-Chair)  
Cllr Aspinell  
Cllr Barrett  
Cllr Clark

Cllr Faragher  
Cllr Hossack  
Cllr Parker  
Cllr Russell

#### Also Present

Cllr Barrell  
Cllr Morrissey  
Cllr Mrs Murphy  
Cllr Mynott  
Cllr Ms Rowlands  
Cllr Ms Sanders  
Cllr Tee  
Cllr Wiles

#### Officers Present

Greg Campbell	- Project Manager - Customer Transformation
Ashley Culverwell	- Head of Borough Health Safety and Localism
Chris Leslie	- Finance Director
Adam Rulewski	- Barrister – BDT Legal
Jean Sharp	- Governance and Member Support Officer

#### 138. Apologies for Absence

No apologies for absence were received.

#### 139. Minutes of the Previous Meeting

The minutes of the Policy, Finance and Resources Committee held on 30<sup>th</sup> June 2015 were approved and signed by the Chair as a correct record.

#### 140. Draft Vision for Brentwood and Outcome of Consultation

The purpose of the report before Members was to provide an update on the results of the Vision for Brentwood consultation to help inform discussion on the draft corporate plan document.

The consultation was now complete and the draft corporate plan – to be referred to as the ‘Vision for Brentwood’ - had been developed. The draft would cover a three year period, 2016 to 2019, and would refresh the previous plan, setting out clear strategic direction.

Overall the summary of results indicated the following:

- A preference towards Council ran services although not against alternative delivery methods,
- Cleanliness and safety of the Borough took priority over events and support for community organisations with mixed views on the provision of affordable housing.
- A focus on getting the basics right was seen as key to a good town centre; having attractive surroundings with the ability to park were respondents top priorities.
- Of less concern is the evening economy, restaurants and café culture. Keeping the council tax low was important as was a clean and green environment.
- Further it appears that respondents to the survey are ‘tech-savvy’ using different online methods to contact the Council and have benefitted from the enhanced level of customer service afforded by the Contact Centre.

Members received a short presentation on the consultation results and the Chair thanked officers for the work undertaken in relation to the consultation.

It was proposed that the draft ‘Vision for Brentwood’ document would be placed on deposit until the end of September 2015 to enable comments from the public and Members to be made which would be considered alongside the consultation results.

**Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendations in the report and, following a vote taken on a show of hands it was**

**RESOLVED:**

- 1. To agree the new draft corporate plan ‘Vision for Brentwood’ 2016-2019 and place on deposit for public comment until the end of September 2015.**

2. That the development of work programmes to deliver the 'Vision for Brentwood' 2016-2019 be agreed with details coming back to a future committee for decision.

#### **REASON FOR RECOMMENDATION**

1. The recommendations were based on the returns from the consultation, political priorities need to be ever more efficient, develop a modern thinking and delivering council.

2. That further work was required to identify the programmes of work in which the vision could be delivered.

#### **141. Unauthorised Incursions**

Members were reminded that a significant increase in the number of unauthorised incursions had occurred across the Borough over the past year, a significant number of which had been on Council-owned land. In order to minimise the number and impact of these incursions approval was sought for additional funding of £150k to secure key sites, proposed as follows:

- King George's Playing Field
- Hutton Recreation Ground
- Brentwood Centre Field
- Larkins Playing Field
- Entrance to Brentwood Centre
- Warley Playing fields

Members noted that security improvements on other sites would be considered where appropriate.

**Cllr Faragher MOVED and Cllr Hossack SECONDED the recommendation in the report and following a full discussion a vote was taken on a show of hands. It was**

#### **RESOLVED**

**That expenditure of up to £150K be added to the capital programme for security improvements to sites across the Borough, funded from capital receipts.**

#### **REASON FOR RECOMMENDATION**

To reduce the number of unauthorised incursions across the Borough.

## **142. Income Generation**

Members were advised that, in light of the significant budget pressures that would be facing the Council in the coming years, ways of generating additional income and reducing costs were being explored.

The report set out the current activities being undertaken by the Council in relation to this, summarized as follows:

- Ensuring the best use being made of the Council's existing property assets and acquiring and managing income generating property assets if appropriate
- Updating the Council's asset register to maximize potential revenue streams
- Maximising returns from property assets through reviewing existing leases, triggering rent review clauses or negotiating new agreements. A central list of leased properties and rent review dates was being compiled
- The identification and sale of redundant property assets
- Acquisition of income generating property assets
- Establishing a Local Authority Trading Company (LATCo) to enable the Council to undertake commercial activity
- Minimising borrowing costs
- Procurement challenge through the East of England Local Government Association
- Reduction in the cost of provision of homelessness accommodation, possibly providing accommodation directly by the Council
- Investigating the possibility of reclaiming VAT through engagement of specialist VAT consultants

**Cllr Mrs McKinlay MOVED and Cllr Parker SECONDED the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was**

### **RESOLVED UNANIMOUSLY**

- 1. To approve the areas identified for a draft "Income Generation Programme" to cover the areas identified in 4.1-4.10 of the report.**
- 2. To agree that such activities as outlined in 4.1-4.10 of the report be developed into full business cases with reports to come back to Policy, Finance and Resource Committee, once details were complete.**
- 3. That opportunities be explored for the Council to maintain its own trees and possibly generate an income through undertaking other tree-works.**



## **REASON FOR RECOMMENDATION**

To provide Members with an update on the activities taking place regarding income generation and cost savings.

### **143. Brentwood Town Hall Room Hire**

The report before Members considered the proposal for a scheme of charges for the hire of meeting rooms within the Town Hall by commercial organisations.

The Town Hall meeting rooms were used for a range of purposes for Council business and a variety of external organisations, from the commercial and voluntary sectors but the Council did not have clear guidance on charging for their use.

External bookings had exceeded 100 per quarter and it was proposed that the Council should introduce a charging regime for commercial organisations to bring it into line with other providers.

**Cllr Russell MOVED and Cllr Hossack SECONDED the recommendation in the report and following a dull discussion a vote was taken on a show of hands and it was**

#### **RESOLVED UNANIMOUSLY**

- 1. That a charging regime be introduced to charge commercial organisations and wedding parties in accordance with the charging regime as set out in the appendix to the report, agreement of details regarding deposits etc. being delegated to the Head of Paid Service.**
- 2. That no charge be introduced for community groups directly benefiting the Borough of Brentwood in accordance with the appendix to this report but that details be published of community room bookings and use and the fee that could have been charged to ensure transparency for the benefits given to community groups using the Town Hall meeting rooms.**
- 3. Charges will come into effect from 1<sup>st</sup> November 2015.**

## **REASON FOR RECOMMENDATION**

To create a scheme of charges for the hire of meeting rooms within the Town Hall by commercial organisations.

#### **144. Termination of Meeting**

In accordance with Rule 28 of the Council's Procedure Rules, the business of the meeting not having been concluded by two hours after its start, at 9.00pm, the Committee voted to continue with the meeting for 30 minutes.

#### **145. Fron Cottage, Alexander Lane**

The report before Members considered the request from the owner of Fron Cottage, Alexander Lane, Shenfield to acquire land adjacent to his property as 'garden land' to increase the size of the available garden.

Members were aware that the Asset, Infrastructure and Localism Panel held on 12 February 2012 resolved to accept the Asset Strategy reported which included the sale of minor strips of land of no value to the Council.

A number of residents declared an interest in this initiative including the owners of Fron Cottage.

**Cllr Parker MOVED and Cllr Faragher SECONDED the recommendations in the report and following a full discussion and a vote was taken by a show of hands and it was**

#### **RESOLVED**

- 1. That the valuation of the Council's agent in the sum of £15,000 for a 99 year lease be accepted or**
- 2. That the valuation of the Council's agent in the sum of £1,500 p.a. for the provision of a license to occupy the land as garden land be accepted**
- 3. That should the owner of the property not accept the terms offered by the Council the land be returned to form part of the Alexander Lane playing fields**

#### **REASON FOR RECOMMENDATION**

To consider the request from the owner of Fron Cottage, Alexander Lane Shenfield to acquire land adjacent to the property as 'garden land' to increase the size of the available garden.

#### **146. 2 Harewood Road, Pilgrims Hatch - Shop Refurbishment**

The report before Members considered the cost of refurbishing the shop at 2 Harewood Road, Pilgrims Hatch so that the property could be let.

The shop at 2 Harewood Road, Pilgrims Hatch had been vacant for some time and works were required to make the shop safe to let. Initially the property was under offer to a party 'as seen' although they pulled out whilst the matter was in solicitors' hands and offers had been invited from interested parties. Firm interest had now been received from a party but on the basis that the property was refurbished ready to receive their fitting out works.

Officers recommended that the shop was properly refurbished by the Council's contractors (rather than an ingoing tenant) to ensure that the job was done thoroughly to enable the letting the shop for the foreseeable future.

Quotations had therefore been sought for these works which were split into the cost of the electrical works and the general refurbishment and removal of the previous tenants' redundant fitting out. The quotations were provided for Members' information.

**Cllr Hossack MOVED and Cllr Parker SECONDED the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was**

**RESOLVED UNANIMOUSLY**

**That the shop unit is refurbished to meet current electrical and health and safety standards to put the shop into a lettable condition ready to receive a prospective tenant's shop fitting.**

#### **REASON FOR RECOMMENDATION**

To ensure the shop is brought up to a lettable standard that complied with current health and safety regulations.

#### **147. 4 The Keys, Warley**

The report before Members considered the renewal of the lease at 4 The Keys, Warley, which was currently occupied by 'Martin The Newsagent' as a convenience store. The current lease on 4 The Keys, Warley would expire in September 2016

It was proposed that Martin surrendered their current lease and took a new lease from September 2015 at an increased rent and widened user clause to incorporate the selling of alcohol. This was subject to the tenant at 3 The Keys (currently holding over on their lease) who sold alcohol terminating their lease, for which 3 months notice needed to be given. Martins had been in

discussions with the tenant of 3 The Keys regarding purchasing the goodwill of his business.

**Cllr Russell MOVED and by Cllr Hirst SECONDED the recommendation in the report and following a full discussion a vote was taken by a show of hands and it was**

**RESOLVED UNANIMOUSLY**

**That a new lease would be agreed with Martins on the above outline basis to increase the income to the Council approximately a year earlier than expected and secure a key tenant in the Keys shopping parade for the immediate future.**

**REASON FOR RECOMMENDATION**

To ensure that this key tenant that generated footfall in The Keys was retained for at least another five years.

**148. Termination of Meeting**

In accordance with Rule 28 of the Council's Procedure Rules, the business of the meeting not having been concluded by two hours after its start, the Committee voted to continue with the meeting for 30 minutes.. Since the business of the meeting had not been concluded by 9.30pm the Committee voted to continue with the meeting for an additional 30 minutes.

**149. Corporate Asset Management Plan Update - Asset Challenge**

Members were reminded that the Asset Management Strategy 2014/15 was approved by the Asset & Enterprise Committee on 15 July 2014 and an update on progress was noted by the Asset & Enterprise Committee on 27 March 2015.

The Strategy highlighted the entrepreneurial approach to the Council's management of its assets and the 27 March Committee report provided an update on progress. Since March the Council's Strategic Asset Manager had moved on and a temporary resource had been brought in for a short time to work with the asset management team to provide support and mentoring to the team as they continued to deliver the Asset Management Strategy.

An updated Asset Management Action Plan was provided for Members' consideration and a full discussion took place regarding the information contained within the Plan.

Members noted that a key project for the remainder of 2015/16 would be to complete the Asset Challenge Review to inform a refresh of the Asset Management Strategy for 2016/17.

**Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED the recommendation in the report and following a vote being taken on a show of hands it was**

**RESOLVED:**

**To agree an update review to the current Asset Management Strategy and Action Plan to ensure it remains in line with Council needs.**

**REASON FOR RECOMMENDATION**

To provide Members with an update on progress delivering the Council's Corporate Asset Management Plan.

**150. Urgent Business**

There was no urgent business.

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The meeting concluded at 10.00pm.

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**2 November 2015**

## **Policy, Finance and Resources Committee**

### **Adoption of the Vision for Brentwood 2016 - 2019**

**Report of:** *Gregory Campbell, Programme and Project Manager*

**Wards Affected:** *All*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 This report asks Members to adopt the three year plan 'Vision for Brentwood covering 2016 - 2019 This vision replaces the previous corporate plan 2013 – 16, setting out clear strategic direction for the Council. Leading to projects and programmes to be formulated in order to deliver the plans objectives.
- 1.2 Following public consultation on the Council's priorities the draft vision for Brentwood 2016 - 2019 was placed on deposit from the end of the last Policy, Resources and Finance Committee to the end of September 2015.
- 1.3 Some minor comments have been received and incorporated into the document.

#### **2. Recommendation(s)**

- 2.1 That the new draft corporate plan 'Vision for Brentwood' 2016-2019 be recommended to Council for approval and adoption**
- 2.2 That it be agreed that heads of service develop and mature work programmes to deliver the 'Vision for Brentwood' 2016-2019 in consultation with the chair of the relevant committee**

#### **3. Introduction and Background**

- 3.1 At the Policy, Finance and Resources Committee held on the 23<sup>rd</sup> June 2015, it was agreed that resident groups, statutory partners, voluntary partners and interested groups be given the opportunity to put forward

their priorities for the Council, through a 6 week consultation, and thus influence the Corporate Plan 'Vision for Brentwood' 2016 – 2019.

On the 15<sup>th</sup> September the results of the consultation and a proposed draft 'Vision for Brentwood 2016 -2019' was tabled to the Policy, Finance and Resources Committee. It was agreed to put the 'Vision' on deposit for comment and feedback until the end of September 2015.

- 3.2 The period of deposit and comment is now over. The document has had some minor amendments to include updated key partners, measures of success and some formatting issues, which were identified following member, officer and public consultation. The document is now before members for approval and recommendation to go forward to full Council.

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

- 4.1 The Corporate Plan 2013 – 2016 will be reaching the end of its natural life this year and the Council has developed its successor to take the organisation forward for its residents and other stakeholders.
- 4.2 The 'Vision for Brentwood' is a clear statement of the Council's high level intentions. From the key priorities, a clear programme of work will be developed in order to achieve the vision. In turn, service plans and individual appraisals will be aligned to work towards the main focuses of the vision, all underpinned by the Council's core values.

#### **5. Reasons for Recommendation**

- 5.1 The recommendation is based on the previous comments received, the need for a plan to be adopted which identifies political priorities, the need to be ever more efficient and develop a modern thinking and delivering council.
- 5.2 The need to identify projects to deliver the programmes of work which the vision can be achieved.

#### **6. Consultation**

- 6.1 Members of the Council, officers and residents were given the opportunity to comment on the proposed draft 'Vision for Brentwood 2016- 2019.



## **7. References to Corporate Plan**

- 7.1 This consultation and production of a new 'Vision for Brentwood' replaces the previous plan and is in line with and continues to deliver 'A modern Council' which considers how the Council looks and works and will be transformed.

## **8. Implications**

### **Financial Implications**

**Name & Title: Chris Leslie, Finance Director**

**Tel & Email: 01277 312 542 christopher.leslie@brentwood.gov.uk**

There are no financial implications arising directly from this report.

### **Legal Implications**

**Name & Title: Chris Potter, Monitoring Officer**

**Tel & Email: 01277 312 860 christopher.potter@brentwood.gov.uk**

- 8.1 The 'Vision for Brentwood 2016 - 2019' is required to be approved by full Council under the terms of the Council's Constitution (Article 4).

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

- 8.2 This will be dependent on the acceptance of the new 'Vision for Brentwood', and the types of projects and work which will be required to achieve them. This will form the next phase of work which needs to be completed.

## **9. Background Papers**

- 9.1 Corporate Plan 2013-2015
- 9.2 Consultation questionnaire- 15<sup>th</sup> July to 25<sup>th</sup> August 2015

## **10. Appendices to this report**

Appendix A – Draft 'Vision for Brentwood' 2016 -2019

### **Report Author Contact Details:**

**Name:** Greg Campbell

**Telephone:** 01277 312738

**E-mail:** [greg.campbell@brentwood.gov.uk](mailto:greg.campbell@brentwood.gov.uk)

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# Welcome

I would like to introduce you to the Council's Vision for Brentwood, our new Corporate Plan, which focuses on the Council's top priorities and ambitions for the Borough over the next three years.

As local government continues to change and we face new and ever growing challenges, it is important that we are preparing ourselves as best we can so as to continue to deliver quality services that matter to our residents. We are exploring ways of generating income by maximising returns from our property assets but also reducing our costs by cutting unnecessary bureaucracy.

Our Borough is a great place to live, work and visit; with strong, healthy and vibrant communities along with a beautiful green environment to enjoy. We want to keep it that way and are working hard to produce a new Local Plan which both protects the essential qualities of the Borough, while at the same time delivering the right mix of housing, jobs, open space and other infrastructure that will be required in the future.

We know that keeping our streets and green spaces clean and tidy is a priority for many residents and we have already introduced our new Street Inspector initiative to help improve this and to drive up standards of cleanliness in the Borough.

We will continue to support the invaluable work carried out by the Community Safety Partnership who help our most vulnerable residents to feel safe and work with them to reduce anti-social behaviour and ensure Brentwood continues to be a safe place to live.

To get the best deal for Brentwood and to make sure the Borough's views are represented we will continue to strengthen our existing relationships with our partners and community groups both in the Borough and across Essex. We will also look at how we can improve resident engagement by finding new ways of reaching local groups.

We will continue to support Economic Development to build on the entrepreneurial spirit and aspirations of our businesses big and small whilst improving job creation with apprenticeship schemes and helping people back to work. By pledging to develop a Town Centre plan we can strengthen our commitment to link key development opportunities. By continuing our work with key business partners we can help maximise opportunities and reinforce that Brentwood is a great place to do business and to live.

Cllr Louise McKinlay  
Leader of Brentwood Borough Council

# Our Purpose and Vision

Brentwood Borough Council exists to serve the needs of local people. In partnership with the whole community, we aim to make the Borough an even better place to live, work and visit.

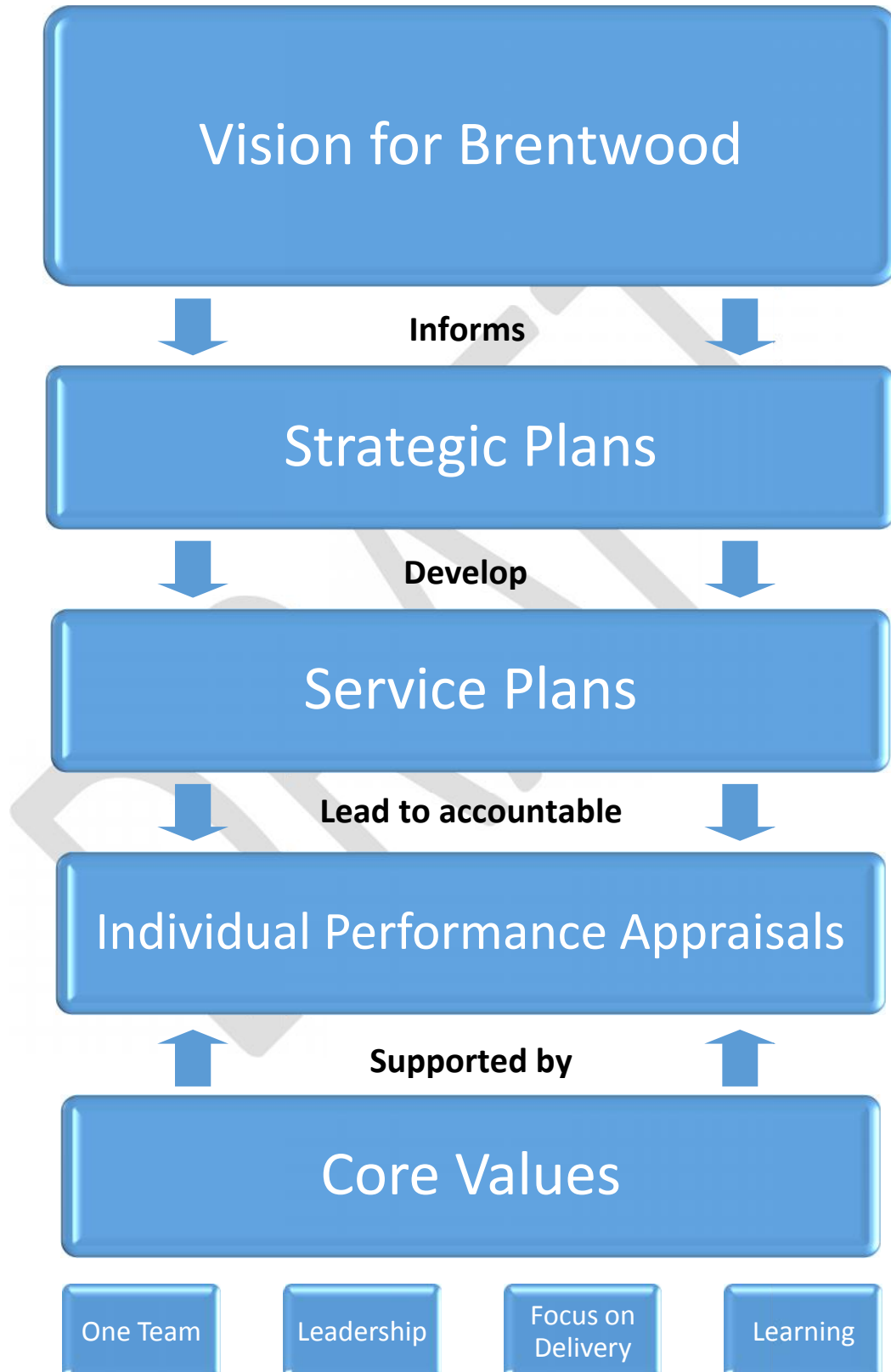
Over the next three years, we will put into place our plans to ensure the future wellbeing of our community, the cleanliness of our neighbourhoods and the prosperity of local businesses. We will focus on the right mix of homes in our towns and villages supported by appropriate infrastructure. Furthermore, we shall transform the way the Council works, providing first-class services with the most efficient use of resources.

Most importantly, we will work with residents and partner organisations to get the best for Brentwood. We shall develop new relationships within the community and work to strengthen existing ones so that our Borough remains the vibrant, pleasant and prosperous place we all enjoy.



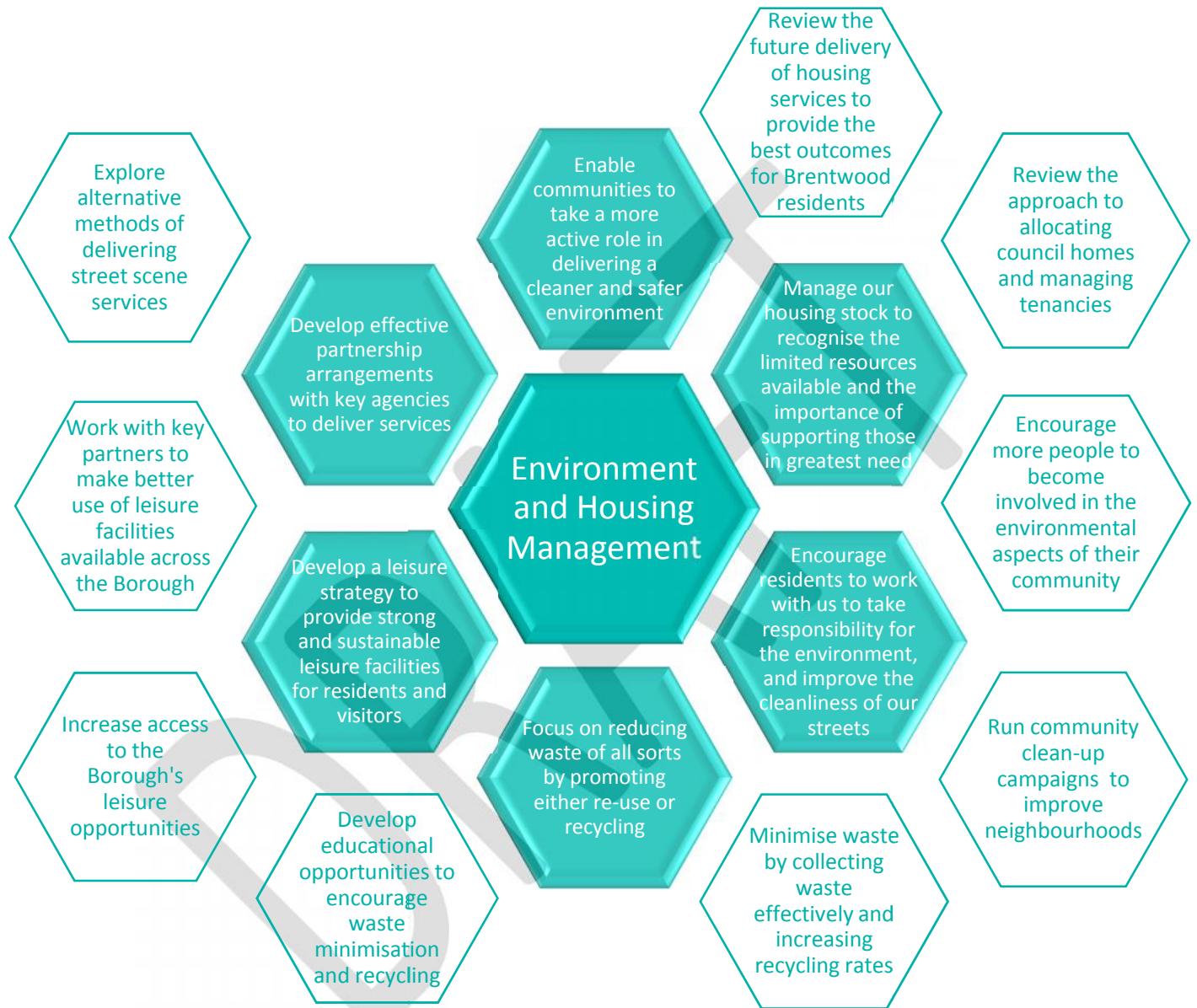
# Strategic Framework – The Golden Thread

Vision for Brentwood is our main strategic planning document, providing a framework for the delivery of services. It is a clear statement of our priorities for the next three years.



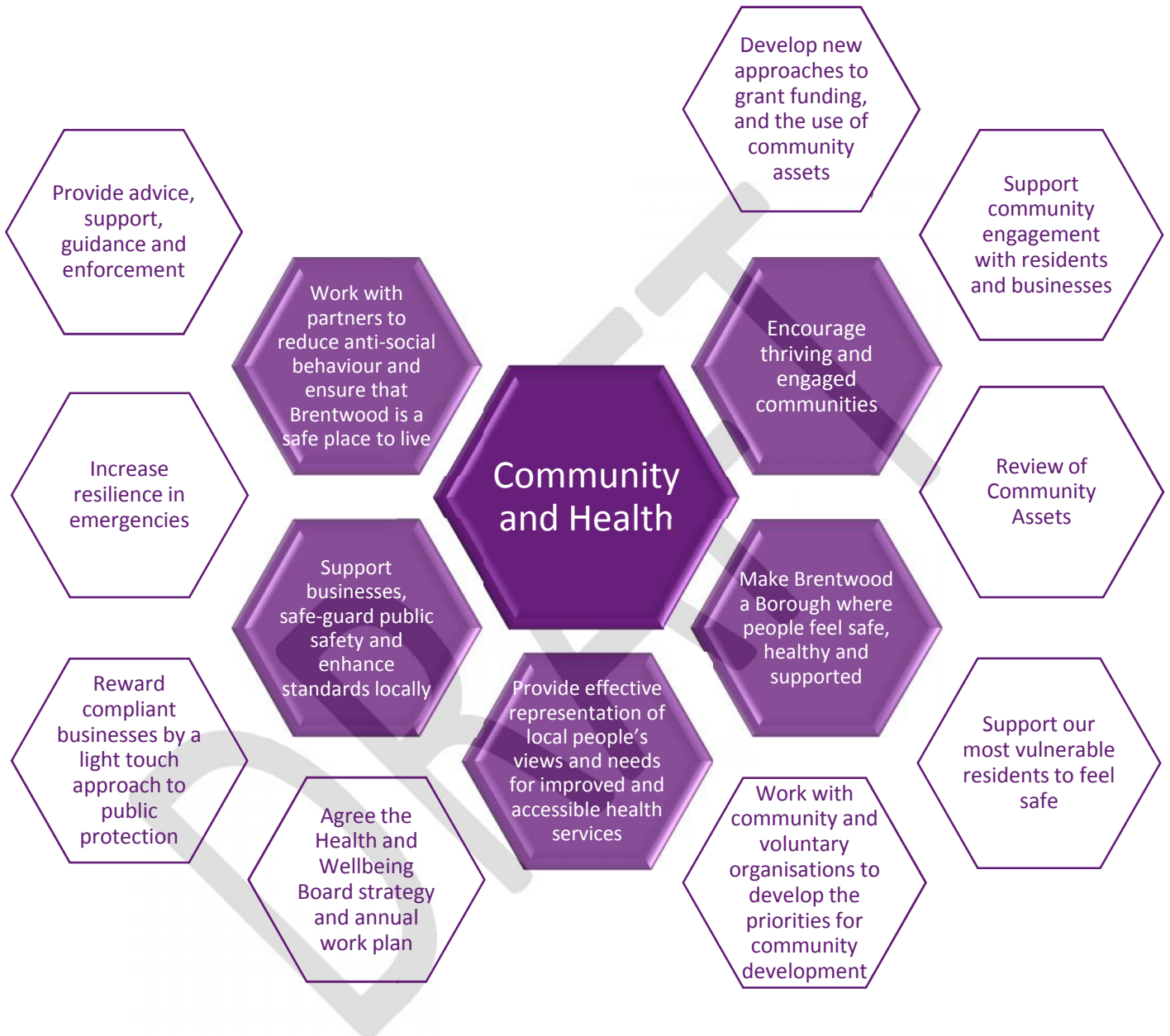
# Environment and Housing Management

We will find new ways of working with partners and embrace the support of communities to enhance the cleanliness of our environment and maintain the attractiveness of our Borough. We will work to ensure our housing stock is managed so that it delivers comfortable and safe homes for our tenants that are efficient and sustainable.



# Community and Health

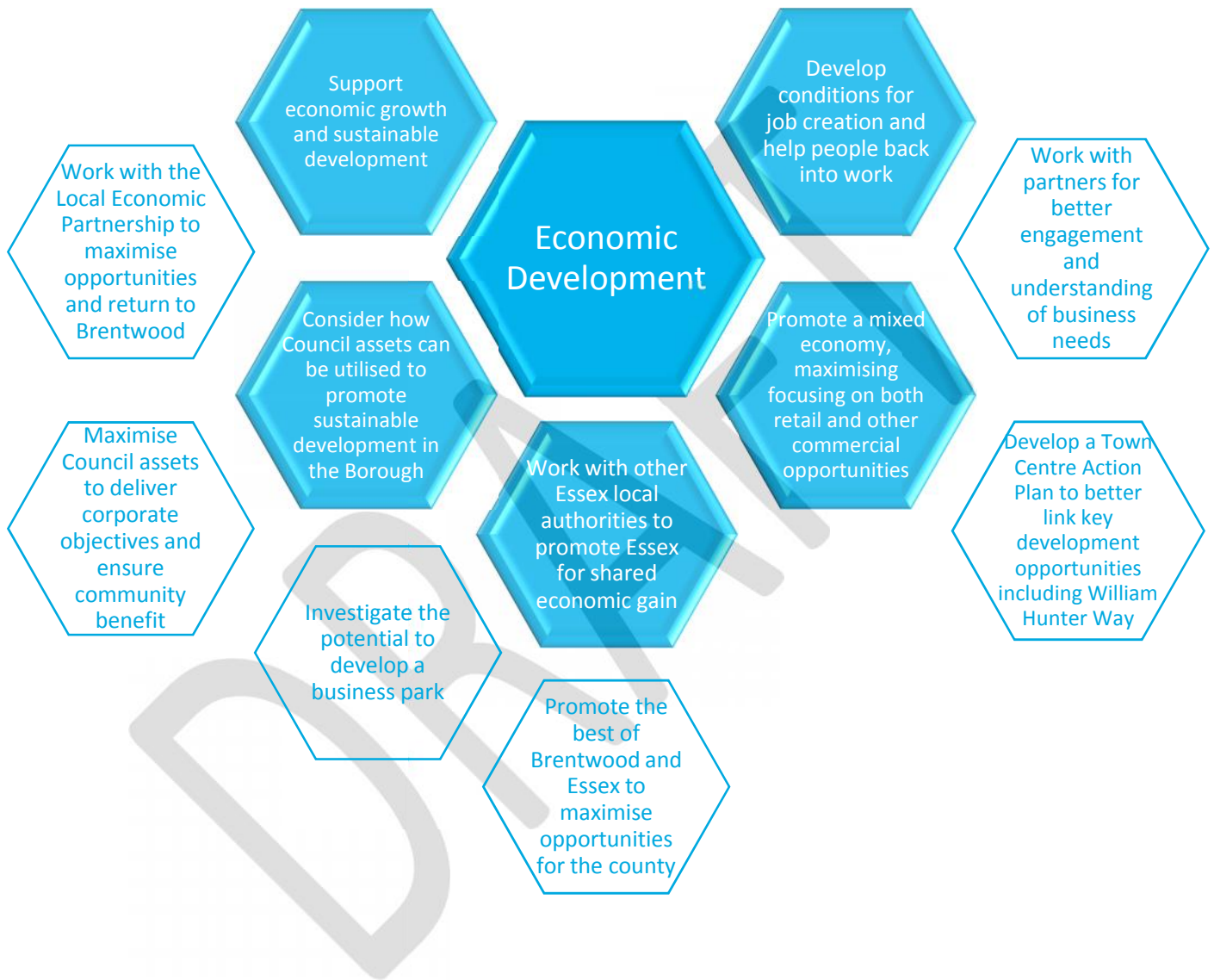
Brentwood is fortunate to benefit from a range of vibrant groups and organisations that enhance and support the local community. The Council will work with local businesses, community groups and the voluntary sector to ensure the future wellbeing of our Borough.





# Economic Development

Our superior locational advantage and entrepreneurial spirit means that Brentwood is fortunate to have a strong economic foundation. In partnership with key local and regional business organisations, we can harness that force to promote the Borough, encourage a mixed economy and support sustainable development.



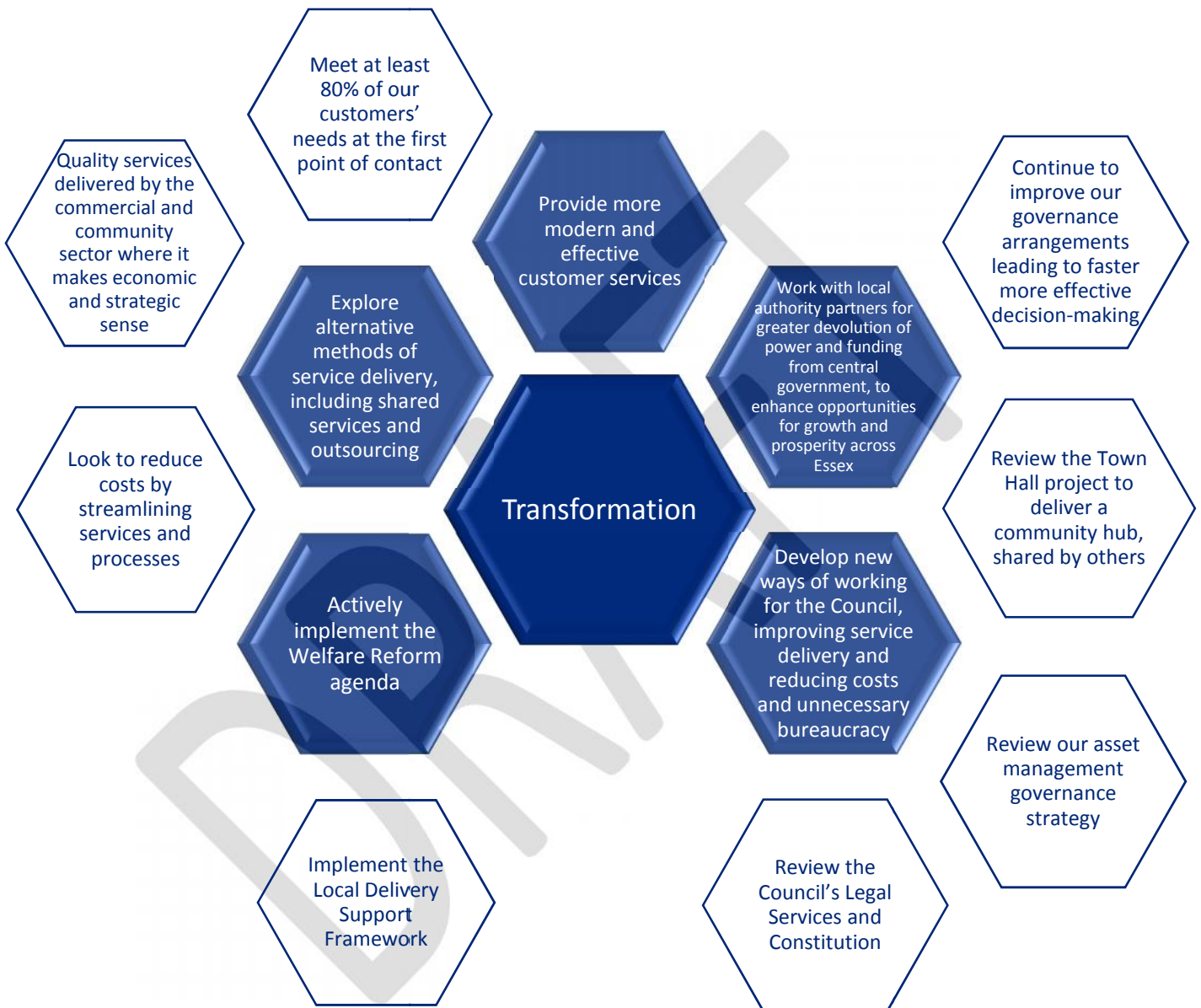
# Planning and Licensing

A new Local Development Plan will shape the way our Borough will change over the next fifteen years. We will work hard to get the best outcome and achieve a good balance for residents and businesses in a way that celebrates Brentwood's unique history and quality of life; both within the borough and influencing the outcome of regional developments that will affect Brentwood residents. Our licensing policies will regulate businesses to ensure public safety and minimize environmental nuisance caused by their activities.



# Transformation

Between 2016 and 2019 the way the Council looks and works will be transformed. We will continue the drive to make it easier for customers to access services and information, cut out bureaucracy that doesn't add value and make sure taxpayers' money is even more wisely spent. We will explore new income generating ideas and opportunities. We will have services delivered by those best placed to deliver excellence and value-for-money, whilst holding onto and enhancing our role, duties and powers as local council and community leader.



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**2 November 2015**

**Policy, Finance and Resources Committee**

**Licensing the Town Hall Rooms for Wedding, Civil and Celebratory Services**

**Report of:** *Gregory Campbell, Programme and Project Manager*

**Wards Affected:** *All*

**This report is:** *All*

## **1. Executive Summary**

- 1.1 The Council has been approached by Essex County Council (ECC) to apply for a licence to have marriage ceremony rooms in which to hold weddings, civil and celebratory services. This could generate an income 'upwards of £20,000 per annum' based on historical data. This takes into account on-going costs estimated at £22,000 and set up costs of £5,000.
- 1.2 The service would offer rooms for hire from Wednesday to Saturday, maximising revenue, whilst enabling Committee Rooms to be available on Mondays and Tuesdays for Council use. Committee Rooms would therefore be out of use day and evening from Wednesday to Saturday.
- 1.3 The Council would seek to commence the service by early 2016.

## **2. Recommendation(s)**

- 2.1 That the Council apply for a licence to hold ceremonies in the committee suite area including Committee Rooms 1, 2 & 3, Meeting Room 1, the Mayor's Parlour and the Council Chamber.**
- 2.2 That the Council seek to commence bookings from early 2016 for Wednesdays, Thursdays, Fridays and Saturdays.**
- 2.3 That the group rooms be freed up for booking meetings by officers during normal office hours**

## **3. Introduction and Background**

- 3.1 The Council has been approached by Essex County Council (ECC) to consider whether it is willing to establish a decommissioned room to hold wedding, civil and celebratory ceremonies. This request has materialised

following consultation by ECC who will seek to improve the service for Essex residents and to reduce costs by consolidating the registrar's head office service and its assets to a more central location for the County in Chelmsford.

- 3.2 A full registration service for births, deaths and marriages will in any case continue to be available to residents in the locality. The only service which would move to Chelmsford would be the county-wide paper-based registration of marriages. As a consequence, the Brentwood area would lose a local venue for un-packaged weddings, civil and celebratory ceremonies.
- 3.3 Previously Brentwood Council assisted ECC by allowing ceremonies to be held in the Council Chamber at The Town Hall when their building was damaged. This worked well and it is considered that a similar provision could be provided in the future.
- 3.4 Please note that during the previous arrangement ECC ran the weddings and the venue. This opportunity is for Brentwood Council to take charge of the hiring of the venue and therefore assume the revenue benefits and related risk. The Council would look to applying for a licence for the venue, carry out the hiring of, administration and caretaking requirements of the venue. The Register Service would provide the Registrars to deliver the ceremony itself.
- 3.5 Although the service at present is available every day, Monday to Sunday, the Council would seek to operate on the most popular and cost effective days (Wednesday to Saturday). This would be more financially beneficial whilst enabling the committee rooms to be available Monday and Tuesday for other purposes. Wednesday to Saturday benefits are listed below:
- assist with management costs,
  - reduce daily set up costs,
  - reduce impact on working arrangements and staff,
  - increase use of committee rooms and
  - improve the cost-to-use ratio of rooms.
- 3.6 Information from a study indicates that the committee rooms are occupied for 45% of the time between 10am and 5pm Monday to Friday. However, in order to maximise opportunity to use space and free up other meeting areas within the Town Hall in case they are required, it is proposed that the Liberal and Conservative group rooms be made available for booking of internal meetings by officers.

3.7 The investment in developing this service should be considered as a revenue-generating opportunity for the Council. No funds are being offered by ECC to assist in developing this service or refurbishment of the rooms. It should be considered as a funding opportunity for the Council.

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

4.1 In order to provide a marriage ceremony venue the Council would need to comply with, set up and consider the following:

**1,** Purchase a three year licence at £1,700 and meet the following requirements:

- have a room to hold the wedding / civil ceremony(s)
- have a room to interview the individual persons getting married
- have a reception area for holding guests
- be DDA compliant
- have appropriate toilet facilities

**2,** A booking system (potentially use one in place - if not need to purchase)

**3,** Administration will be required to look after the process including pre-wedding meetings, viewing and agreeing any finer details

**4,** Someone on site to manage ceremonies (the public in and out of the building)

**5,** Funding for redecoration

**6,** Promotion of the venue (website, photography, advertising)

4.2 In order to run this service administration would be required, as would a part time caretaker to manage ceremonies when they occur. These costs have initially been identified at £22,000 per annum.

4.3 One off set up costs have been estimated in the region of £5,000 including music and venue licence

4.4 Although licences for the entire Civic Suite will be applied for, the basic ceremony booking and costs within this report relate to the booking of Committee Room 1 only. Further options and rooms within the licence will be available however these will be at an increased charge.

4.5 Essex County Council is seeking to fix the cost of the use of marriage ceremony rooms across Essex. Therefore the proposed charges are different to those set at the previous Policy, Finance and Resources Committee (Draft Min 143 / 2015) Based on a conservative estimate of information from last year an income after overheads and outgoings in the region of £20,000 could be achieved.

## **5. Reasons for Recommendation**

- 5.1 This represents an opportunity to realise an income from an area that is under utilised.
- 5.2 Using this space exclusively for ceremonies is unlikely to have a detrimental effect on the ability to book rooms and hold meetings at the Town Hall if other rooms are made available.

## **6. Consultation**

- 6.1 Discussions have been held with ECC Registrars and the Corporate Leadership Board

## **7. References to Corporate Plan**

- 7.1 Economic Development – maximise Council assets to deliver corporate objectives and ensure community benefit.

## **8. Implications**

### **Financial Implications**

**Name & Title: Chris Leslie, Finance Director**

**Tel & Email: 01277 312 542 christopher.leslie@brentwood.gov.uk**

- 8.1 The hire of rooms would create an additional income for the Council estimated at up to £20,000 after expenses.

### **Legal Implications**

**Name & Title: Chris Potter, Monitoring Officer**

**Tel & Email: 01277 312 860 christopher.potter@brentwood.gov.uk**

- 8.2 Under section 1(1) of the Local Authorities (Goods and Services) Act 1970, the Council can enter into an agreement with Essex County Council to provide a range of administrative and other services. Such intra public body trading can be for profit (R v Yorkshire Purchasing Organisation ex parte British Educational Supplies Limited [1998] ELR 195). This contrasts with the position under section 95 of the Local Government Act 2003 which requires commercial trading to be undertaken only through a trading company.
- 8.3 Any 'section 1(1) agreement' may contain such terms as to payment or otherwise as the parties to the agreement consider appropriate (section 1(3) of the Act).



- 8.4 Under section 2 of the Act the Council is required to include a separate account in respect of any 'section 1(1) agreement' in the Council's accounts.

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

- 8.5 Health and safety will be adhered to and a full check made before licensing the venues. Any other licences will be obtained if necessary

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

10. **Appendices to this report**

**None**

**Report Author Contact Details:**

**Name:** Gregory Campbell

**Telephone:** 01277 312738

**E-mail:** greg.campbell@brentwood.gov.uk



**2 November 2015**

**Policy, Finance and Resources Committee**

**Proof of Life Certificate**

**Report of:** *Chris Leslie, Finance Director*

**Wards Affected:** *N/A*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 Members are asked to determine the future provision of the Council's Proof of Life Certification service. The options are to continue provision of the service for free, charge for the service or cease the service.

## **2. Recommendation**

- 2.1 That a charge of £25 for the provision of a proof of life certification service is approved.**

## **3. Introduction and Background**

- 3.1 A Proof of Life Certificate is a way in which a beneficiary must prove they are alive to continue receiving a pension. This usually affects pensioners receiving a pension from abroad and is required annually.
- 3.2 The Council is under no obligation to provide this service but currently does so free of charge. Alternative providers are available in the private sector and potentially through the embassy of the Country concerned.
- 3.3 In September 2014 the Council stopped providing the service due to concerns around Solicitors Regulation Authority rules. Details of alternative providers were made available to people requesting the service. However due to the cost and inconvenience of using alternative providers the Council still experienced demand for the service.
- 3.4 Due to the demand from residents the service resumed again in September 2015 to allow Members to make an informed decision as to

the future of the service. The previous legal issues have been resolved and the service is currently performed free of charge as before.

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

4.1 The Council has no obligation to provide a proof of life certification service and alternative providers are available. However due to cost factors and convenience the Council is well positioned to offer the service.

4.2 Existing statutory powers allow the Council to charge for providing a proof of life certificate and given this Members are asked to consider three options:

##### **4.3 Option 1 – Provide the Service for Free**

Currently the service is provided for free with costs spread over Council Tax payers rather than service users.

##### **4.4 Option 2 – Charge for the Service**

Service users would pay for the cost of providing the service. A charge of £25 is advised as reasonable to cover all associated costs. This compares to some Notaries who charge £50.

##### **4.5 Option 3 – Stop the Service**

There is no obligation for the Council to provide the service and the service could be stopped allowing resources to be made available for other activities.

#### **5. Reasons for Recommendation**

5.1 These recommendations have been made so Members have the opportunity to decide on the future provision of a Council service.

#### **6. References to Corporate Plan**

6.1 The report is in line with the Council's priority of being a Modern Council. It seeks to look at the services the Council offers while making sure taxpayers money is spent wisely and having regard to entrepreneurial aspirations.

#### **7. Implications**

##### **Financial Implications**

**Name & Title: Chris Leslie, Finance Director**

**Tel & Email: 01277 312 542 christopher.leslie@brentwood.gov.uk**

- 7.1 Based on past demand it is estimated that 24 people a year would use the service. With a charge of £25 each this would provide additional income of £600.
- 7.2 The revenue generated could potentially be increased by raising awareness of the service.

**Legal Implications**

**Name & Title: Saleem Chughtai, Legal Services Manager**

**Tel & Email: 01277 312500 saleem.chughtai@bdtlegal.org.uk**

- 7.3 There is no specific obligation on the part of a local authority to provide this service, which is carried out by a Notary Public or staff at the Embassy of the Country concerned. The Local Government (Overseas Assistance) Act 1993 enables a local authority as defined, which would include Brentwood, to provide advice and assistance as respects any matter in which they have skill and experience to a body engaged outside the United Kingdom in the carrying on of the activities of local government. There are regulations which allow charging at the discretion of the Local Authority having regard to the cost: Statutory Instrument No 1978 of 1996 refers. There is no need for any consent from the Secretary of State: Statutory Instrument No 2840 of 2008 refers. The service could be entrusted to Proper Officers for the purpose of Section 234 Local Government Act 1972. It is important to note that a free or low cost service carries responsibilities which may not be insured.

**8. Background Papers**

None.

**9. Appendices to this report.**

None.

**Report Author Contact Details:**

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**E-mail:** christopher.leslie@brentwood.gov.uk

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**2 November 2015**

**Policy, Finance & Resources Committee**

**Shenfield Scout Lease**

**Report of:** *Russell Clinker, Senior Asset Manager*

**Wards Affected:** *Shenfield*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 This report considers the grant of a new lease to the 1<sup>st</sup> Shenfield Scouts for their Scout Hut in Shenfield Road.

## **2. Recommendation(s)**

- 2.1 That a new lease be granted in accordance with the Heads of Terms set out at Appendix B.**

## **3. Introduction and Background**

- 3.1 The 1<sup>st</sup> Shenfield Scouts formed in 1909 occupy the Scout Hut (built by the Scouts) under a lease dated 1<sup>st</sup> January 1980 and also a small area of land to the rear of the property under a separate lease dated 1<sup>st</sup> January 1981. The Scouts have been in occupation of this site since 1951.
- 3.2 The lease to the scout hut has expired and the Scouts are being invoiced for £10 p.a. rent as mesne profits. The lease of the land to the rear of the property has also expired and the Scouts are being invoiced for £30 p.a.
- 3.3 A valuation of the property has been undertaken by the Council's agent and is contained in **Appendix A**.
- 3.4 Delegated authority was sought from the Head of Localism and Partnership in consultation with Chair/Vice Chair of the Asset, Infrastructure and Localism Panel and the Ward Members on the provision of a new 25 year lease at £100 p.a. in March 2013

- 3.5 Since being advised of the Council's offer, the Scouts have secured funding to renew the roof to the hall and completed these works in August 2013 and requested a lease term of 35 years. Heads of Terms have been provisionally agreed in respect of the grant of a new lease to 1<sup>st</sup> Shenfield Scout Group and The Scout Association Trust Corporation which are generally in accordance with the terms granted last year to 3<sup>rd</sup> Brentwood Scout Group and The Scout Association Trust Corporation. In this way the Council can take a consistent approach to its dealing with this important community organisation.

#### 4. Issue, Options and Analysis of Options

At its meeting on 27 March 2015 the Council's Asset and Enterprise Committee adopted a Disposals at Less than Best Consideration Policy.

The Heads of Terms provisionally agreed for a new lease to 1<sup>st</sup> Shenfield Scouts now provide for a 35 year lease at a discounted rent of £100 per annum. This is not a disposal at best consideration and in order to comply with Council policy and sections 123(1) and (2) of the Local Government Act 1972 it is necessary to undertake an assessment of the extent to which the organisation's activities contribute towards achieving the Council's aims and objectives. In undertaking the assessment it is also necessary to:

- Include a copy of the organisation's constitution and three years of accounts.
- Set out the extent to which the organisation is proactive in seeking to share and make available the assets to other community and voluntary sector uses on a not for profit basis.
- A recommendation as to the length of any discount.
- Confirmation that the organisation will submit its activities and accounts on an annual basis or when required by the Council.

At **section 8.0** of this report the Monitoring Officer sets out the legal implications relating to disposals at less than best consideration. The General Disposal Consent (England) 2003 provides there is no need to seek the specific consent of the Secretary of State provided that the purpose for which the land is being disposed of by way of the lease is likely to contribute to the "promotion or improvement" of the economic, social, or environmental well-being of the area and the difference in unrestricted value of the lease of the land and the actual price paid for the lease (if any) is not more than £2 million. Government guidance (Circular 06/2003) states that 'In determining whether or not to dispose of land for less than the best consideration reasonably obtainable, and whether or not any specific proposal to take such action falls within the terms of the Consent, the authority should ensure that it complies with normal and



prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue'.

**The current market annual rental value of the property has been assessed at £14,400 per annum.**

**The capital value of the property has been assessed at £165,000.**

**The rent proposed by the 1<sup>st</sup> Shenfield Scouts is £100 per annum.**

**The undervalue is £14,300 per annum.**

**The Scout Association calculate a total contribution per person (Adult Leaders/Helper) of £3,488.40 (If paid at first step Locally Qualified NJC rates of £10.20 an hour). Shenfield Scouts have fourteen adult Leaders and Helpers giving a calculation of 14 @ £3,488.40 = £48,837.76 per annum.**

The valuers report and assessment of the extent to which the organisation's activities contribute towards achieving the Council's aims and objectives can be found at **Appendix A and C** of this report.

## **5. Reasons for Recommendation**

- 5.1 That a new lease for the Scouts be put in place to ensure continuity of accommodation for the Scout Group.

## **6. Consultation**

- 6.1 Extensive consultation has taken place with 1<sup>st</sup> Shenfield Scouts to provisionally agree the terms for a new lease.

## **7. References to Corporate Plan**

- 7.1 Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

## 8. Implications

### Financial Implications

**Name & Title: Chris Leslie, Finance Director**

**Tel & Email: 01277 312 542 christopher.leslie@brentwood.gov.uk**

- 8.1 The rental income is at less than best consideration but an assessment of the extent to which the organisation's activities contribute towards achieving the Council's aims and objectives suggests that the 1<sup>st</sup> Shenfield Scouts makes a significant contribution in enhancing and supporting our local community.

### Legal Implications

**Name & Title: Chris Potter, Monitoring Officer**

**Tel & Email: 01277 312 860 christopher.potter@brentwood.gov.uk**

The Council can grant a lease at an undervalue if the disposal comes within a consent issued by the Secretary of State. Under section 123 of the Local Government Act 1972 the Council is required to obtain the best consideration reasonably obtainable where a lease is over 7 years unless, in the case of a lease given at an undervalue, the particular disposal is covered by the Secretary of State's consent. Under the Local Government Act 1972: General Disposal Consent (England) 2003, there is no need to seek the specific consent of the Secretary of State provided that the purpose for which the land is being disposed of by way of the lease is likely to contribute to the "promotion or improvement" of the economic, social, or environmental well-being of the area and the difference in unrestricted value of the lease of the land and the actual price paid for the lease (if any) is not more than £2 million. Government guidance (Circular 06/2003) states that 'In determining whether or not to dispose of land for less than the best consideration reasonably obtainable, and whether or not any specific proposal to take such action falls within the terms of the Consent, the authority should ensure that it complies with normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue'. This will enable the Council to demonstrate that it has adopted a consistent approach to decisions about land disposals by carrying out the same step by step valuation process on each occasion, including ascertaining precisely how much of an undervalue is being given in any particular case, and therefore that it has acted reasonably.

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

None.

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

9.1 None.

**10. Appendices to this report**

Appendix A - External Valuation .

Appendix B - Heads of Terms.

Appendix C - Assessment of the extent to which the organisation's activities contribute towards achieving the Council's aims and objectives.

**Report Author Contact Details:**

**Name:** Russell Clinker

**Telephone:** 01277 352931

**E-mail:** russell.clinker@brentwood.gov.uk

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**Mass & Co**  
Chartered Surveyors

Our Ref: MPB md

2 October 2015

C Gill Esq  
Shenfield Scout Hut  
Chelmsford Road  
Shenfield  
CM15 8RQ

Dear Chris

**Shenfield Scout Hut, Chelmsford Road, Shenfield CM15 8RQ**

I have pleasure in enclosing herewith my market rental valuation report in respect of the aforementioned property together with my account for your kind attention.

I trust that the report is satisfactory for your purposes but please do not hesitate to contact me if any matters require clarification.

I understand that it is the Council's intention to grant a 35 year full repairing and insuring lease at a rent of £100 per annum which is significantly less than the reported market rental value of £14,400 per annum. You have asked me to provide a view as to the likely amount of under value.

The shortfall in rent between the market rent and the contractual rent will be £14,300 per annum.

There is no direct comparable evidence of sales of properties of this nature, but having regard to the general market we would apply a yield of 8% which if applied to the level of discount for the term of the lease (35 years) results in a capital value and consequential under value of £165,000 (One hundred and sixty five thousand pounds) (rounded).

I trust that this is satisfactory for your purposes.

Yours sincerely

**Mark P Burton BSc FRICS**  
RICS Registered Valuer  
**Mass & Co**

Email: mark@massandco.com  
Mobile: 07557 763561

25 High Street Brentwood Essex CM14 4RG Tel: 01277 201300 Fax: 01277 232033  
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Regulated by RICS

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at the above address, where a list of Directors is held.



**Shenfield Scout Hut  
Chelmsford Road  
Shenfield  
Cm15 8RQ**

**Report on Market Rental Value**



**Mark Burton BSc FRICS**

**Mass & Co  
25 High Street  
Brentwood  
Essex CM14 4RG**

**2 October 2015**



# Mass & Co

Chartered Surveyors

Our Ref: MPB/cal

2 October 2015

C Gill Esq  
Interim Strategic Asset Manager  
Brentwood Council  
Town Hall  
Ingrave Road  
Brentwood  
CM15 8AY

Dear Sir

## **SHENFIELD SCOUT HUT, CHELMSFORD ROAD, SHENFIELD, CM15 8RQ**

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### **1.0. Introduction**

- 1.01. We refer to our letter of 22 July 2015 wherein we set out the terms upon which Mass & Co could advise you in connection with the current market rental value of Shenfield Scout Hut, Chelmsford Road, Shenfield CM15 8RQ (hereinafter referred to as "the Property").
- 1.02. We understand that as the landlord, you are in negotiation with the current tenant who is holding over under the terms of two leases. You intend to grant a new 25 year lease and you require advise as to the appropriate rent payable.
- 1.03. In preparing this annual rental report we have undertaken a brief inspection and measured survey of the Property and had regard to copy leases provided by you and the tenant.
- 1.04. In accordance The RICS Valuation - Professional Standards 2014 this advice is excluded from the provisions and requirements of the Standards.

### **2.0. Description**

- 2.01. You are fully conversant with the Property and it is not therefore our intention to unnecessarily dwell upon a descriptive narrative.
- 2.02. The Property faces roughly south and any descriptions are taken from the outside facing the front as if from the road.

25 High Street Brentwood Essex CM14 4RG Tel: 01277 201300 Fax: 01277 232033  
email: [post@massandco.com](mailto:post@massandco.com) [www.massandco.com](http://www.massandco.com)

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at the above address, where a list of Directors is held.



- 2.03. The Property comprises a single storey structure currently occupied as a meeting hall for the local scout group. It provides adequate facilities for this function.
- 2.04. The building has four principal elements.
- 2.05. The front portion comprises a steel framed building with concrete panel elevations and facing brick to the front elevation. The pitched roof has been replaced in recent years with what we understand to be a guaranteed, insulated Kingspan profiled roof covering which was not visible from ground level. The roof drains to metal box gutters.
- 2.06. To the left hand flank there are double timber entrance doors/fire escape. There is a single timber fire escape door to the front elevation.
- 2.07. Adjacent to the right hand flank of the main hall there is a single storey toilet block providing both male and female facilities. Although not inspected externally we understand this to have a flat roof which again we were advised was recently re-clad.
- 2.08. Beyond the main hall and wc's there is an original structure which comprises a small hall with storage areas off together with a troop room and kitchen. This element is at a higher level than the main hall and there are a number of steps leading up to it. It is of brick construction set beneath a pitched timber framed roof with tile covering. There is an entrance door to the left hand flank.
- 2.09. The final element of the building comprises storage areas of block construction rendered externally with timber boarded roof over with felt covering.
- 2.10. The height to eaves in the main hall is approximately 2.74m rising to 3m at the ridge. An exposed grid suspended ceiling system follows the roof line and incorporates recessed lights supplemented by a number of surface mounted fittings. The floor is solid with vinyl tile covering. The internal walls are lined and painted. Space heating is provided by two gas fired heaters.
- 2.11. The toilet facilities are tiled and reasonably presented. Hot water is provided from a gas boiler positioned within the kitchen.
- 2.12. The kitchen has a range of base and wall units with vinyl tiles over a timber floor.
- 2.13. The small hall, storage area and troop room are all in reasonable order having a timber floor structure, plastered walls and heating provided by high level wall mounted electric heaters.
- 2.14. The storage area has an exposed concrete floor and exposed block walls and is in basic order suitable for use. There is a manually operated roller shutter door to the left hand flank.
- 2.15. We were unable to gain access to the right hand external flank of the building.
- 2.16. The building is positioned on a site that slopes down to Shenfield Road. It is approached from a concrete path with steps leading from Shenfield Road to the left hand flank of the site. Between the building and Shenfield Road there is a greensward. Save for the concrete apron to the left



hand side and an over grown area to the right-hand flank, the building covers the majority of the site.

- 2.17. In general terms, the Property has been maintained to a good standard by the current tenants in keeping with its use. As with any building of this nature there will be continuing requirements for maintenance particularly to the original structure but subject to adhering to a planned maintenance programme the structures will continue to provide suitable facilities for many years to come.
- 2.18. Photographs of the Property are included at **Appendix I**.

### **3.0. Location**

- 3.01. Shenfield is part of the conurbation of Brentwood. It is located approximately 1.6 kilometres to the north east of Brentwood town centre. It serves predominantly as a dormitory town for commuters to London and surrounding towns such as Chelmsford and Basildon. This is facilitated by easy access to the A12 and M25 and rail services to London Liverpool Street.
- 3.02. The Property lies on the north side of Chelmsford Road (A1023) almost at its junction with Hutton Road (A129) at Tabors Corner.
- 3.03. The Property lies beyond Shenfield town centre. It fronts one of the main access roads into Brentwood town centre and neighbouring uses include residential, retail and leisure.
- 3.04. Courage Playing Fields abut the boundaries to the lefthand side and rear.
- 3.05. Within Chelmsford Road to the front of the property there is a bus stop.
- 3.06. There is permit and time limited parking within Hutton Road but otherwise parking is difficult.
- 3.07. A copy of a plan prepared by your office showing the extent of the property is included at **Appendix II**.

### **4.0. Accommodation**

- 4.01. We have undertaken a measured survey of the Property in accordance with the RICS Code of Measuring Practice. The gross internal floor areas are set out below.

<b>DESCRIPTION</b>	<b>SQ.FT</b>	<b>SQ.M</b>
Gross Internal Floor Area	2,914	270.7
Net Internal Floor Area	2,633	244.6
Site area taken from the lease plans	4,824	448.1

4.02. There is no on-site parking.

#### **5.0. Rateable Value**

5.01. From internet enquiries made of the VOA web site we understand the Property to be entered in the current Valuation List as:

Description:	Hall and Premises
Rateable Value:	£4,450

#### **6.0. Town Planning, Highways and Environmental**

6.01. A simple internet search of Brentwood Borough Councils Planning Website does not reveal any form of planning history relating to the Property.

6.02. We would expect the current use to fall within either Class D1 (non-residential Institutions) or D2 (assembly and leisure) of the Town and Country Planning (Use Classes) Order 1987, as amended.

#### **7.0. Tenure**

7.01. We have been provided with copies of the following documents:

- i. Lease dated 16 December 1959 (the 1959 Lease)
- ii. Deed dated 29 September 1981 supplemental to the 1959 Lease (the 1981 Lease)
- iii. Lease dated 27 July 1998 (the 1998 Lease)

7.02. We have assumed that there has not been any subsequent documentation that has varied the lease terms in any way.

7.03. The broad terms of the 1959 Lease are set out below. We stress that these details are not exhaustive and are produced to compliment this report and will necessarily involve paraphrasing, condensing and use of generic terms.

Date:	16 December 1959
Parties:	Urban District of Brentwood (Landlord) Boy Scout Association Trust Corporation (Tenant)

Term:	21 Years from 1 January 1960. Expiring 31 December 1980.
Demise:	Parcel of land extending to 0.094 acres delineated on the lease plan.
Rights:	Right of way from Shenfield Road
Rent:	£5.00 per annum
Insurance:	Tenant to insure
Repair:	Tenant to keep exterior and interior of authorised buildings in good tenantable repair.
Alterations:	Subject to landlord's consent.
Alienation:	Absolute bar.
Use:	Camping ground and headquarters for purpose of Boy Scouts Movement.
Landlords Covenants:	Allow quiet enjoyment
Rent Review:	Not applicable

- 7.04. The 1981 Lease is supplemental to the 1959 Lease. It is for a term of 21 years from 1 January 1980 at a rent of £10.00 per annum but otherwise on the same terms.
- 7.05. The 1998 Lease demises an area of land to the rear of and of equivalent width to the main site and having a depth of 12 feet. It is for a term of 7 years from 1 April 1988 at a rent of £30.00 per annum. The use is restricted to 'normal activities of a Scout Group'. The remaining terms mirror the 1959 and 1981 Lease.
- 7.06. The 1998 Lease is supplemental to a Deed of Trust dated 16 January 1982. We have not been provided with a copy this Deed and have assumed that regard to it would not materially impact on our advise.

## **8.0. General Observations on the Leases**

- 8.01. The leases are drawn on fairly standard commercial terms.
- 8.02. The user and alienation provisions restrict the current and future occupation to the current use. The market recognises that these restrictions will have a depressing effect upon the rent although the measure of this effect is not easily quantifiable.
- 8.03. We understand that you have not served S.25 Notice under the Landlord and Tenant Act 1954 ('the Act') to terminate the contractual tenancies. As a consequence the tenant is 'holding over' under the terms of the expired leases.

- 8.04. The general rule drawn from S.32 of the Act is that the property to be comprised in a new lease is that property comprised in the current tenancy. It is understood that the parties wish to enter into a lease (or leases) of the same property (or properties) subject to agreement of terms and rent.
- 8.05. S.32 of the Act indicates that if either party fail to agree on the duration of the new term the length of the new tenancy is to be determined by the Court to be such length as is reasonable in all circumstances, subject to the proviso that the Court cannot grant a lease of more than 15 years. We understand that each party would like to commit to a 25 year term.
- 8.06. In default of agreement between the parties, S.34 of the Act (as amended) guides the Court to determine the rent which, having regard to the tenancy, other than those relating to rent, the whole might reasonably be expected to let in the open market by a willing lessor, subject to disregards relating to tenant's occupation, goodwill and improvement.
- 8.07. We understand that all of the structures on site comprise tenant's improvements completed more than 21 years ago. As such we are of the opinion that the rent payable should reflect the benefit of all of the structures (34(2)(a) of the Act)
- 8.08. Under S.34(3) the Court has the power to order the inclusion of a rent review clause. The current tenancy does not have provision for reviewing the rent and we would not expect the new tenancy to include one. The market recognises that rent review cycles that are longer than the market norm will have an inflation effect on the rent although the measure of this effect is not easily quantifiable. It is generally accepted practice that the rent should be increased by ½% per year that the review period is greater than the norm. As we would expect a five year review pattern here we are of the opinion that the rent should be increased by 10%.

## 9.0. General Market Conditions

- 9.01. There is a limited of evidence relating to lettings of properties of this nature within the Borough.
- 9.02. There is evidence of properties with similar uses being available to the market within Essex. There are similar properties in East London where demand particularly for faith based organisations is very strong.
- 9.03. In preparing our advice we have had regard to the following evidence:

### ***Ardleigh Green Baptist Church, 165 Ardleigh Green Road, Hornchurch***

The property was acquired jointly by London Borough of Havering (LBH) and Ardleigh Green Family Centre (which was funded by Veolia) in March 2015 at a price of £360,000. The building has a net area of 2,497 square feet. The purchase price equates to £144 per square foot. We are advised that the difference between the net and gross floor areas was small.

LBH simultaneously granted a 20 year full repairing and insuring lease to Ardleigh Green Family Centre in respect of its proportion of the ownership (69.4%). The headline rent equates to

**£7.00 per square foot** on the net area although only an 'equitable rent' equating to 1/3<sup>rd</sup> of the market rent is actually charged. The lease does not allow alienation and the use is restricted.

***Greig Hall, Stamford Road, Dagenham, RM9 4HB***

Having been utilised as a children's day nursery this hall was let in August 2014 on full repairing and insuring terms restricted by a schedule of condition to a faith group for a term of five years. The use is restricted and the tenant is unable to assign the lease or sublet. There is a mutual option break after two years subject to giving six months notice.

The gross internal area is 3,966 square feet. The rent is £25,000 per equating to **£6.30 per square foot** on the gross area and £7.41 on the net area.

***Keys Hall, Eagle Way, Brentwood***

A 25 year lease was granted by the Council to Recoil Twisters Trampoline Club from June 2011. The lease incorporates five yearly break clauses. The initial rent until 23 June 2016 was £15,000 per annum at which time the base rent increased to £25,000 per annum. This base rent reflects **£3.65 per square foot**.

We understand that the tenant spent £360,000 (£52.50 per square foot) in repairing and refurbishing the property. The rent is considered to be at the lower end of the range of potential values which we assume to reflect the condition of the property and the tenant's obligation to undertake works to put the property into repair.

***Brights Avenue, Rainham Essex, RM13 9NN***

This property comprises a former day care centre which was let for a further D1 use for a term of five years from August 2013 on full repairing and insuring terms subject to a Schedule of Condition. The premises have a gross internal area of 1,934 sq ft and were let at a rent of £15,000 per annum reflecting **£7.76 per square foot**. The use and alienation provisions are restricted.

***The Barn, Tooks Farm, Great Warley, Brentwood***

This comprises a single storey property having a net internal area of 1,683 sq ft with the benefit of nine parking spaces. It was let as a children's day care nursery for a term of 20 years from 25 January 2013. The rent of £24,000 per annum reflects **£14.26 per square foot**. The rent is subject to five yearly RPI increases capped at 4% annually.

***Harold Hill Christian Centre, Gooshays Drive, Harold Wood, RM3***

This property was let for a term of ten years from June 2012 at a rent of £27,000 per annum to Bright Futures Nursery Limited. The lease excludes the security of tenure provisions of the Landlord & Tenant Act 1954. The property has a gross internal area of 3,043 sq ft. The rent equates to **£8.87 per square foot**.

***Rear of 7 Victoria Road, Romford, RM1***

This comprises a two storey building extending to 2,080 sq ft with four parking spaces. It was let to Over The Rainbow Limited as a children's day care nursery for a term of ten years from 1 April 2014 at a rent of £31,250 per annum reflecting **£15.02 per square foot** on the gross internal area.

The property comprises a former two storey framed industrial unit and has been refurbished for an office use but subsequently let as a children' day nursery. The parking spaces have been converted to a play area and additional parking spaces were taken under a separate license.

***Scout Hut, King Georges Playing Fields, Brentwood***

This comprises a former pavilion and storage facility within King Georges Playing Field and has recently been let by the Council to 3rd Brentwood Scout Group. A 35 year full repairing and insuring lease has been granted subject to a photographic schedule of condition at a rent of £2,800 per annum without review reduced to £100.00 per annum for so long as the scout group uses the property. There are absolute restrictions on assignment, underletting and use. The tenant has the ability to break on the 10th the 25th and 30th anniversaries.

It is the intention of the scout group to extend the property. We understand that as let it comprised a timber building plus garage having a total area of 778 square feet. The headline rent reflects **£3.60 per square feet** on an overall basis.

**10.0. Rental Valuation**

- 10.01. The Property comprises two adjacent sites upon which the Tenant has constructed purpose built facilities for use by the local Scout Troop.
- 10.02. The structures are more than 21 years old and we are of the opinion that they comprise improvements that should be reflected in the annual rent.
- 10.03. The permitted use of the Property is very restricted. Much of the evidence similarly reflects restricted user and alienation provisions nevertheless, we are of the opinion that a further allowance is warranted.
- 10.04. There remains strong demand for children's day nurseries. The Property is well positioned and of suitable size for this use although the lack of outside space and on-site parking will impact on demand.
- 10.05. If made available to the wider market we are of the opinion that interest will be drawn from faith based groups particularly if available on a freehold basis.
- 10.06. Evidence of lettings with restricted uses indicate rents of between £3.60 and £7.76 per square foot.
- 10.07. The lowest rents were achieved at the Council owned properties, Keys Hall and Scout Hut, King George's Playing Field. The higher rents have been achieved for properties of similar size in the open market but within the M25.
- 10.08. Although we do not have full details relating to the agreement at Scout Hut, King George's Playing Field it is nevertheless persuasive evidence having regard to the use and general terms. We understand the buildings to be of inferior quality. Further, we understand that the building required to be extended, for which it has planning, to make it viable. As such we would expect a

higher rent per square foot for the Property despite it being significantly larger. The rent is also fixed throughout the term which is unusual but consistent with the proposal for the Property.

- 10.09. We have assumed that the two current leases will be replaced by a single lease for the entire Property.
- 10.10. Having regard to the general evidence we are of the opinion that a rent of £4.50 per square foot applied to the gross internal floor area would be appropriate.
- 10.11. To reflect the twenty five year term without rent review we have made an addition of 10% (see 8.08 above)
- 10.12. Having regard to the nature of the Property, its location and the proposed lease terms we are of the opinion that the current market annual rental value on the basis of a statutory renewal under the Landlord and Tenant Act 1954 is fairly represented by the sum of:

**£14,400 (fourteen thousand four hundred pounds) per annum exclusive**

- 10.13. We understand that a number of Local Authorities discount market rents by as much as 90% to arrive at 'equitable rents' when letting to local community groups. We were not instructed to make such an adjustment

## **11.0 Strategy**

- 11.01. We understand that neither party has sought to terminate the current tenancies but that there is a willingness to both grant and take a new twenty five year lease on similar terms subject to agreement of the rent.
- 11.02. For the reasons set out herein we are of the opinion that the Council should receive rent reflective of the structures currently on site.
- 11.03. It is logical to include each of the current demises in a single lease.
- 11.04. We can only suggest that negotiations continue on an open basis with a view to reaching agreement to take surrenders of the current leases and grant a new lease.

## **12.0 Limitations and Confidentiality**

- 12.01. The information contained herein has been offered on the understanding it is treated in the strictest confidence. It has been collated in connection with the request for Mass & Co to advise in respect of the forthcoming lease renewal. It may be disclosed to another advisor, however, neither the whole nor any part of this document or any reference thereto may be included in any published document, circular or statement or published in any way.

12.02. Further, we request that the report should not be disclosed under the Freedom of Information Act 2000 (sections 41 and 43(2)) or under the Environmental Information Regulations.

### 13.0 Summary

13.01. We trust our report covers all items of relevance to your decision making but if any matters require clarification please do not hesitate to let us know.

13.02. We look forward to receiving your further instructions.

Yours faithfully



**Mark P Burton BSc FRICS**

RICS Registered Valuer

**Mass & Co**

Email: [mark@massandco.com](mailto:mark@massandco.com)

Mobile: 07557 763561



**Appendix I**  
Photographs



View from Shenfield Road



Rear elevation



Main Hall



Small Hall

**Appendix II**  
Location Plan

NOTES

Localism & Partnership  
Adrian J Tidbury  
Asset & Technical Manager

Contract  
Shenfield Scout  
Association

Title  
Land Valuation

Drawn By  
AJT

Scale  
1:500 @ A3

Date  
March 2013

Checked

Revisions

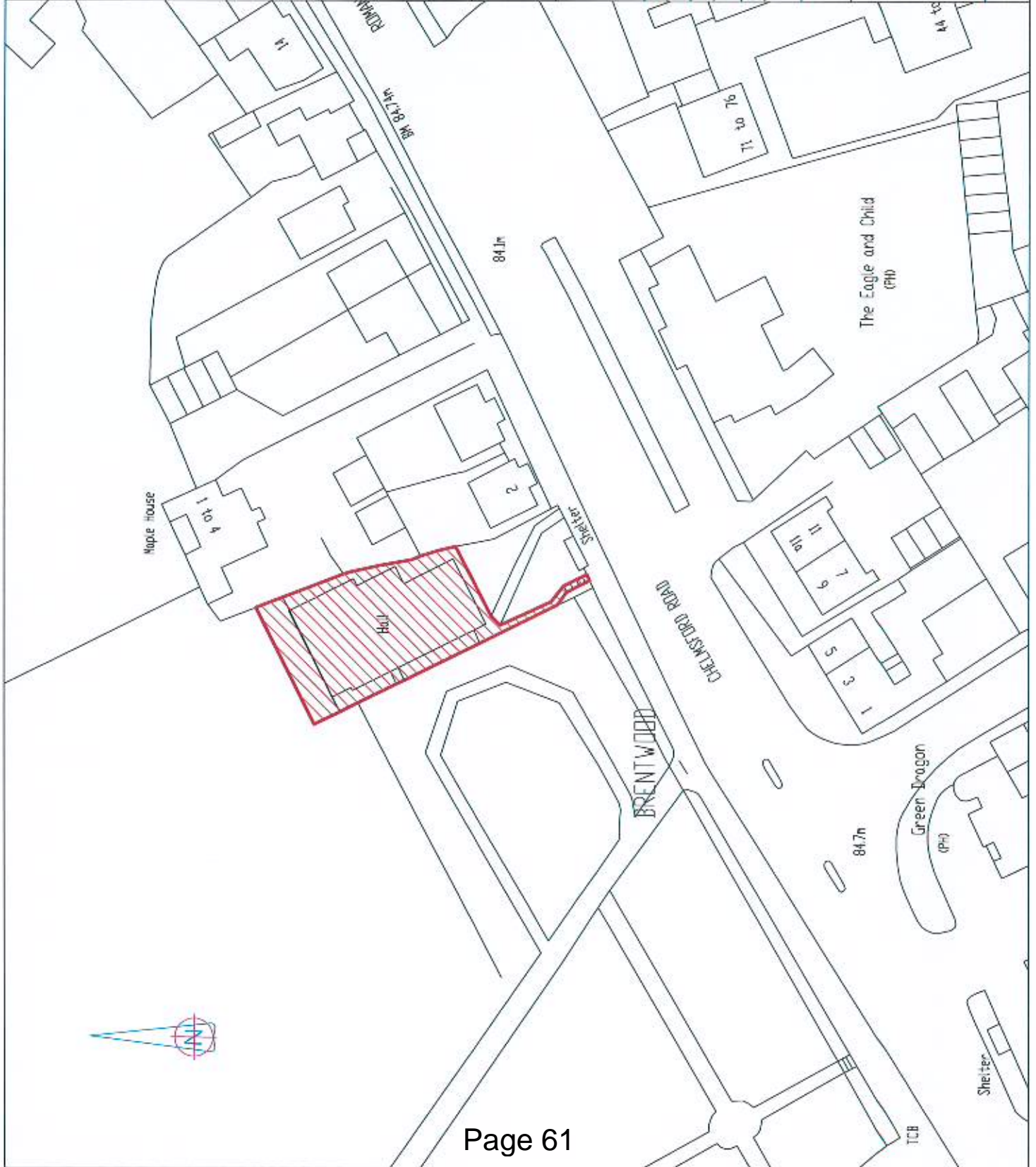
Drawing No.

T/AJT/3887



Town Hall  
Ingrave Road  
Brentwood  
Essex  
CM15 8NY  
Tel: 01277 312500

Approved for the Council by the Council of the Borough of Brentwood on 14th March 2013. The Council of the Borough of Brentwood is a public body for the purposes of the Freedom of Information Act 2000. Information published on this website is Crown Copyright. Information reproduced here is the property of the Council of the Borough of Brentwood. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of the Council of the Borough of Brentwood. (13/03/13)



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# Appendix B

## Appendix B - Heads of Terms of the Lease

Landlord:	Brentwood Borough Council
Tenant:	The Scout Association trust Corporation and 1 <sup>st</sup> Shenfield Scout Group
Property:	Land and Building at the Scout Hall 1 <sup>st</sup> Shenfield Scouts Chelmsford Road, Shenfield Essex CM15 8RQ
Contractual Term:	35 years
Start Date:	01.04.2013.
Annual Rent:	£14400pax reduced to £100pax (Paid annually in advance by Direct Debit) for Community Use by Scout Association and 1st Shenfield Scout Group for the term of 35 years.
Permitted Use:	Activities of a Scout group and ad hoc hourly room hire to community groups benefitting Brentwood on a not for profit basis.
Rent Review:	Review of the annual rent in accordance with the Councils Policy on disposals at less than best consideration;
Insurance:	1st Shenfield Scouts will insure in full reinstatement value. The Scouts will use Unity Insurance Services the Scout Association Brokerage (Or such other insurance brokerage the Scout Association may use in the future). The Scouts will also maintain £5m Public Liability Insurance. The Scouts will produce a copy of the policy and proof that it is maintained every year.
Rates & other Taxes:	Tenant to be responsible for rates, taxes and all other impositions and outgoings in respect of the Property;
Utilities:	Tenant will pay all costs for utilities and services;
Assignment:	The Tenant will not be able to assign or underlet the whole or any part of the Property. The tenant will be permitted from time to time offer the premises for ad-hoc hourly hire to groups- small community based organisations who share the values of Scouting and in the view of the Group are likely to provide benefit to the local community
Charging:	The Tenant cannot charge the whole or part of the lease;
Repairs:	The Tenant will keep the Property clean and tidy and in good and substantial repair and condition, including any service media serving the Property in good working order. Provided that the tenant shall not be required to maintain or yield up the property in any better condition than is evidenced by a photographic schedule.
Decoration:	The Tenant shall decorate the outside and the inside of the Property as often as is reasonably necessary and also, where required by the Landlord having given notice to the Tenant six months prior to the end of the term, in the last three months before the end of the term.

;

Alterations: The Tenant shall not make any alterations without the Landlord's prior written consent such consent not to be unreasonably withheld or delayed.

Indemnity: The Tenant will indemnify the Landlord against all liabilities, expenses, costs, claims, damages and losses in respect of any breach of the Tenant's covenants contained in the lease;

Exclusion of ss24-28of the LTA 1954:

Sections 24-28 of the Landlord and Tenant Act 1954 will be excluded in the lease;

Break Clause: Mutual break clause in year 10 and 17 on six months prior written notice.

Arbitration and ADR: The lease will contain an Arbitration and Alternative Dispute Resolution clause

Approvals: Where required not to be unreasonably withheld or delayed by either party.

Special Conditions: The lease will contain the standard Scout Association Trust Corporation (SATC) clauses set out in the attached document.



**STANDARD SCOUT ASSOCIATION TRUST CORPORATION (SATC)  
CLAUSES FOR LEASES/UNDERLEASE (AS TENANT)**

1. Parties:

(1) .....(hereinafter called “the Landlord”) of the one part and (2) THE SCOUT ASSOCIATION TRUST CORPORATION a company limited by guarantee and registered as a charity under No. 306102 whose registered office is at Gilwell Park Chingford London E4 7QW (“The Corporation”) holding title as Custodian Trustee on behalf of the ..... (“The Group”) hereafter collectively referred to as the “Tenant” of the other part

2. Recitals:

- A) WHEREAS the Group is a body formed and recognised by The Scout Association in accordance with its Rules; and
- B) This Lease is supplemental to a Declaration of Trust made by the Corporation on the 16th June 1982 entitled “The Scout Trust Deed 1982”; and
- C) The Corporation holds title as Custodian Trustee on behalf of the Group and does not have any responsibility for and in respect of the management of the land/premises or the covenants contained herein with such responsibility vesting in the Executive Committee of the said Group being the Managing and/or Charity Trustees.

3. Liability:

WHEREAS the liability of the Corporation under the covenants herein contained and on its part to be observed and performed and the liability under such covenants of its successors in title being trustee(s) for the time being of the Group shall be limited to the amount of the assets of the Group but nothing herein contained shall affect any powers or remedies of the Landlord in respect of any breach non-observance or non-performance of the said covenants except as regards the liability of the Corporation and its successors in title being such trustee(s) as aforesaid

4. Charities Act 2011

The title to the demised premises is held by the Corporation as Custodian Trustee in trust for a charity known by the name of the Group which is not an exempt charity and the restrictions on disposition imposed by Section 117-121 of the Charities Act 2011 will apply subject to sub-section 117(3) of the Act.

5. Sealing and signing as follows: -

THE COMMON SEAL OF THE  
SCOUT ASSOCIATION TRUST  
CORPORATION was hereunto  
affixed in the presence of: -

Director

Secretary






---





Also to record as a ‘restriction’ in the Prescribed Clauses (LR13) the following clause:  
No disposition by the proprietor of the registered estate to which section 117-121 or section 124 of the Charities Act 2011 applies is to be registered unless the instrument contains a certificate complying with section 122(3) or section 125(2) of that Act as appropriate




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# Appendix C

**Appendix C** - Assessment of the extent to which the organisations activities contribute towards achieving the Council's aims and objectives.

Council Requirements	1 <sup>st</sup> Shenfield Scouts Response
<p><b>Contribution towards achieving the Council's aims and objectives.</b></p> <p><i>The Current Corporate Plan 2013-2016 sets out six priority areas the most relevant on this occasion being:</i></p> <p><b>Localism</b></p> <p><i>We believe that through bringing communities together and working effectively in collaboration with a range of groups and organisations we can better ensure the future wellbeing of our borough. We will work with local businesses, community groups and the voluntary sector to develop projects that will enhance and support the local community.</i></p>	 <p>Shenfield Scouts and the Community 16-09</p>  <p>Fundamentals of Scouting.pdf</p>  <p>Key Policies.pdf</p>  <p>Scouting A-Million-Hands D7.pc</p> <p>The Scout Association calculate a total contribution per person (Adult Leaders/Helper)of £3,488.40 (If paid at first step Locally Qualified NJC rates of £10.20 an hour).Shenfield Scouts have fourteen adult Leaders and Helpers giving a calculation of 14 @ £3,488.40 = £48,837.76 per annum.</p>
<p><b>Constitution and 3 Years Accounts</b></p>	<p>Scout HQ advise the Constitution for the Group is contained within Scout Association Policy Organisation &amp; Rules and is "rule book" for UK Scouting.</p>  <p>Constitution.pdf</p> <p>Trustee reports attached 2011 -12, 2012-13 and 2013-14.</p> <p>General:-The HQ had (over a period of time) become tired,leaks to the main hall and toilet blocks, and inadequate heating in the main hall dictated action.</p> <p>It was agreed a fund raising committee be formed and proceeded with a number of events and explored grant options.(2000-2015)</p>

	<p>Heating was renewed in 2010 £5,000.00 (Grant from Essex CC)</p> <p>In the summer of 2013 adequate funds had been raised to complete the following:-</p> <p>New roof to main hall.</p> <p>Renew roofs to toilet blocks.</p> <p>Renew water heater.</p> <p>Asbestos removal</p> <p>Emergency lighting install.(throughout building and exterior)</p> <p>Renew-furbish lighting to main and small halls, roof void small hall, modify external security safety installation.</p> <p>Provide access hand railing inside hall and onto site.</p> <p>Electrical testing and renewals fixed wiring installation.</p> <p>Provision of smoke and CO alarms throughout building.</p> <p>Decoration programme for entire premises (Internal-external) this is partially complete)</p> <p>The total estimated costs for these works circa £28,000.00 (excluding heating)</p> <p>Grants received (Lottery &amp; FMC) £9,000.00</p> <p>Funds raised £19,000.00</p> <p>We still have to complete the decoration programme and a possible contribution to boundary fencing.</p> <p>The Group like many charities suffers with a lack of resource to undertake fund raising activities.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">         Accounts 2011-12 Signed.pdf     </div> <div style="text-align: center;">         Accounts 2011-2012 Trustee Report 27-1-     </div> </div> <div style="display: flex; justify-content: space-around; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;">         Accounts-Trustee Report 2013-14.pdf     </div> <div style="text-align: center;">         Accounts 2013-14 plus Trustee Report 3     </div> </div>
--	--

	 Accounts and trustees report 2012-
<b>The extent to which the organisation is proactive in seeking to share and make available the assets to other community and voluntary sector uses on a not for profit basis.</b>	 Lease BBC letter Community Aspect of
<b>Confirmation that the organisation will submit its activities and accounts on an annual basis or when required by the Council.</b>	 Lease Letter to BBC re Annual Info Provisi
<b>Recommendation as to length of discount</b>	
Discount to £100 pax for the whole term of 35 years subject to continued community Use by Scout Association and 1 <sup>st</sup> Shenfield Scout Group during the term of 35 years and the tenant complying with the terms of the lease.	

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**2 November 2015**

**Policy, Finance and Resources Committee**

**Land Transfer from Essex County Council**

**Report of:** *Russell Clinker, Senior Assets Manager*

**Wards Affected:** *Shenfield*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1. This report considers the acquisition of an area of land adjacent to the Merrymeade House site and Brentwood school Football pitches accessed from Shenfield Road.
- 1.2. The area of land is identified on the attached plan and is currently owned freehold by Essex County Council.
- 1.3. The land comprises a single unmade access track which was part of the former Merrymeade Estate.
- 1.4. It is proposed that Brentwood Borough Council purchase the land from Essex County Council for the sum of £1.

## **2. Recommendation**

- 2.1 That the area of land is purchased by Brentwood Borough Council in order to secure control of the potential future development of sites adjacent to and accessed from the area of land.**

## **3. Introduction and Background**

- 3.1. Essex County Council currently own the subject area of land (as identified on the attached plan) although this is surplus to their requirements and they have offered it for sale.
- 3.2. The land provides access to the area between the Shenfield Road in central Brentwood with its surrounding urban area and the A12 trunk road which passes Brentwood to the North (See map attached). It also provides access to land which has recently been offered for sale by

Savills in two Lots (Lot 1 – Grassland 15.99 Acres/6.48 Hectares, and Lot 2 – Mixed Grassland and Woodland – 26.27 Acres/10.63 Hectares) situated off Hall Lane . Details of these are attached to this report.

- 3.3. The sale of the 2 lots of green belt land has caused some speculation about future development opportunities. Whilst the lots in question are protected under law and the council's planning policies, via their green belt status, securing the right to this key access point to the site is intended to provide greater security and peace of mind to local residents.

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

- 4.1. The purchaser will be responsible for the repair and maintenance of the site which is estimated to be in the region of £2,000 per annum. This primarily relates to the maintenance of vegetation and trees.
- 4.2. Under an agreement with ECC, the designation of the track is to be protected, with Essex County Council reserving the right to apply a claw back of 75% of the value of the premises should this ever change. i.e. The purchaser will have to pay Essex County Council 75% of the value of the land if re-development occurs. The following is classified as redevelopment in the Heads of Terms: The sale of the land to a third party, any planning approval for a change of use (on all or part of the site), a lease to the site to a third party for five years or more. There are no plans for any of these scenarios. The key reason for the proposed transaction is to secure control of a potential access to sites adjacent to and accessed from this area of land.
- 4.3. In the Heads of Terms transfer of the freehold is permitted to other charitable organisations / third sector companies only with the prior written consent of the Essex County Council, such consent not to be unreasonably withheld or delayed.

#### **5. Reasons for Recommendation**

- 5.1. To secure control of the potential future development of sites adjacent to and accessed from the area of land.
- 5.2. In conjunction with the review of the Local Plan, additional protection to the Green Belt policy could be provided by the land being designated as a Local Green Space. A local green space designation is a way to provide special protection against development for green areas of particular importance to local communities.



## **6. Consultation**

- 6.1. No formal consultation has been undertaken or is required

## **7. References to Corporate Plan**

- 7.1. Value for Money: policies that invest in key services to create opportunity for all provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2. Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Chris Leslie, Finance Director

**Tel & Email** 01277 312542 / [christopher.leslie@brentwood.gov.uk](mailto:christopher.leslie@brentwood.gov.uk)

- 8.1. There is an estimated maintenance cost of £2,000 per annum that will become the Council's liability if the land is acquired.

### **Legal Implications**

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

**Tel & Email** 01277 312860 / [christopher.potter@brentwood.gov.uk](mailto:christopher.potter@brentwood.gov.uk)

- 8.2. None directly arising from this report.

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

- 8.1. None directly arising from this report

## **9. Background Papers**

None.

## 10. Appendices to this report

Appendix A – Plan of site

Appendix B - Plan of adjoining sites recently marketed by Savills

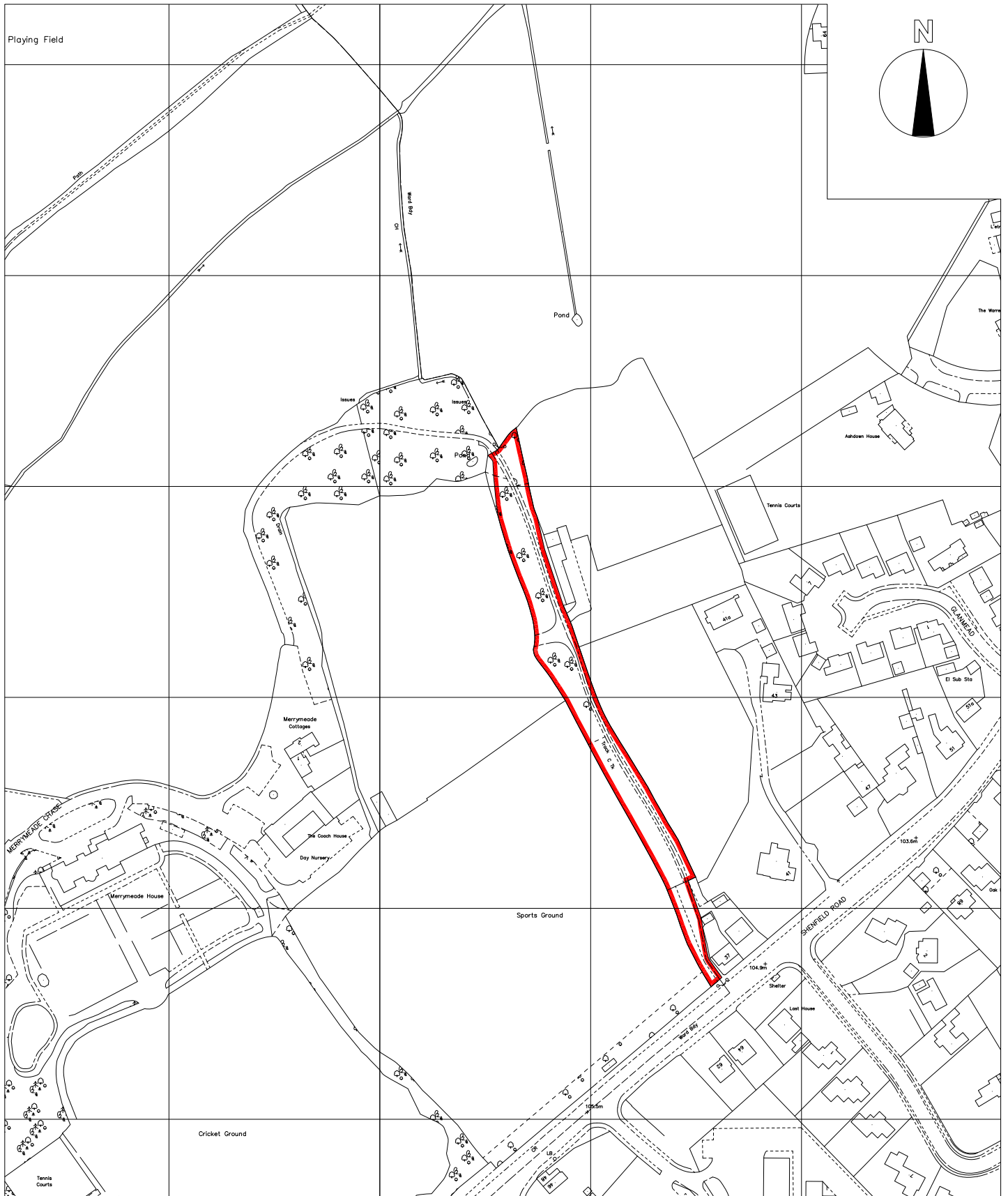
### Report Author Contact Details:

**Name:** Russell Clinker  
**Telephone:** 01277 312931  
**E-mail:** [russell.Clinker@brentwood.gov.uk](mailto:russell.Clinker@brentwood.gov.uk)

# Appendix A

The drawings do not represent accurate survey drawings of the property but only a general indication of the scheme.  
Do not rely on the drawings for accuracy of information.

Check on site before preparing for & carrying out future maintenance, alterations & extensions work etc.



Site Reference: S102096	Scale: 1:2500	Drawn By: DS	Date Drawn: 07/04/14	Paper Size: A4	Revision: --	Project Reference / Drawing Number: L0270	Title: <b>SITE PLAN</b>
Property Name: Sawyers Hall Lane - Land Adjacent						Project Description: Disposal Plan	
Property Address: Sawyers Hall Lane, Brentwood, Essex CM15.						Page 75	
						Based upon the Ordnance Survey map with the Permission of The Controller of Her Majesty's Stationery Office. Crown © Copyright reserved, Licence No. 100019602.	

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**Savills, Chelmsford**

136 New London Road, Chelmsford, CM2 0RG

**01245 930107** local call rate



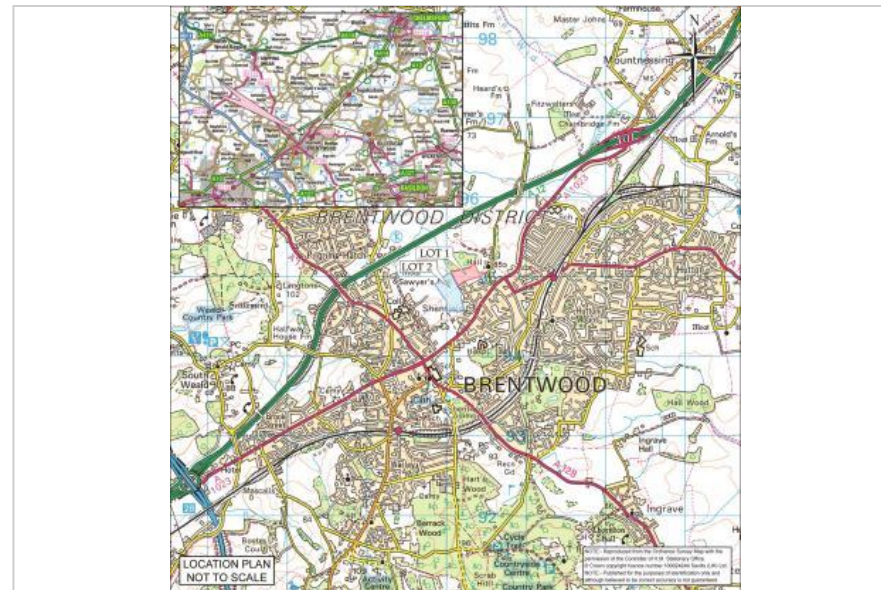
[www.rightmove.co.uk/property/54957350](http://www.rightmove.co.uk/property/54957350)

## Land for sale

Land At Shenfield, Brentwood, Essex, CM15

Offers in Excess of  
**£380,000**





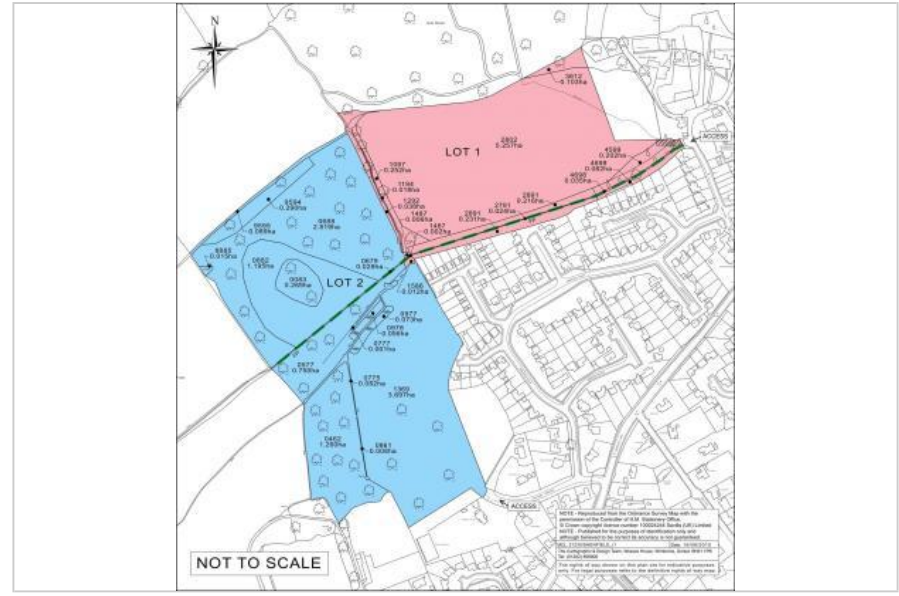












## Property Description

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### Key features

- In all about 17.11 hectares (42.26 acres)
  - For sale by private treaty as a whole or in 2 lots
  - Amenity grassland and woodland
  - Two gated entrances
  - Registered for Basic Payment Scheme
  - No planning permission
  - EPC Exempt
- 

### Full description

Accessible land on the urban fringe

#### Description

##### Situation

The land is located adjacent to the north and west side of the built area of Shenfield on the outskirts of Brentwood with open fields and woodland to the north and west. Entrances off Hall Lane and Hallwood Crescent give access to the land at the eastern and southern points, as shown on the enclosed plan. The land is approximately 200 metres from the A1023 Shenfield Road which gives access to the Ongar/Ingrave Road, the A12 at Mountnessing and the M25 at Junction 28. The mainline railway station at Shenfield provides access to London Liverpool Street station from 36 minutes.

#### Description

The land is a compact block of grassland and woodland with access through gated entrances off Hall Lane on the eastern side and off Hallwood Crescent to the south. The land extends to approximately 17.11 hectares (42.26 acres) as shown on the plan, comprising 10.15 hectares (25.08 acres) of grassland and 6.96 hectares (17.18 acres) of woodland.

The land is classified by the Ministry of Agriculture as Grade 3 and the soil type is of the Windsor series, a fine loam over clay. 6.39 hectares (15.79 acres) of eligible land has been registered for the Basic Payment Scheme and the relevant entitlements will transfer with the sale.

#### Lotting

##### LOT 1 – GRASSLAND (6.48 HECTARES, 15.99 ACRES)

A single field to the eastern end of the land comprising approximately 5.26 hectares (12.99 acres) of grassland with 1.22 hectares (3.00 acres) of woodland around the periphery. The entrance to the land is off Hall Lane and the land gently slopes to the stream on the western boundary.

##### LOT 2 – MIXED GRASSLAND AND WOODLAND (10.63 HECTARES, 26.27 ACRES)

In two distinct areas, the northern part is predominantly mixed broadleaf woodland and the southern part is a mixture of woodland and grassland with areas of interspersed trees. The grassland extends to approximately 4.89 hectares (12.09 acres) and the woodland to approximately 5.74 hectares (14.18 acres). The gated entrance to the land is off Hallwood Crescent.

#### General Remarks and Stipulations

Tenure: The property is offered for sale freehold with vacant possession upon completion.

Designations: The land is within a surface water Nitrate Vulnerable Zone (NVZ). The land is designated as Green Belt and part is designated as a Local Wildlife Site (LoWS) by Brentwood Borough Council.

Town and Country Planning: The property is offered subject to any current or past development, designation and policies, tree preservation orders, town planning schedules, applications, submissions and resolutions which may be or may come into force.

Various trees on the land are subject to a tree preservation order (No. 10/1995), a copy of which can be obtained from the vendor's agent.

Local Authority: Brentwood Borough Council, Town Hall,  
Ingrave Road, Brentwood, Essex, CM15 8AY  
Tel: 01277 312500

Sporting, Minerals and Timber: In so far as they are owned by the vendor, rights of sporting, minerals and timber are included in the sale. All such rights are believed to be owned by the vendor.

Basic Payment Scheme: The land is registered for the Basic Payment Scheme (formerly the Single Payment Scheme) and the entitlements are included in the sale. The vendor will make reasonable endeavours to transfer the relevant entitlements to the purchaser(s) after completion of the sale. The 2015 Basic Payment will be retained by the vendor. The purchaser(s) will indemnify the vendor against any breach of cross compliance from the date of completion to the end of the payment year.

Plans, Areas and Schedules: The boundaries are based on the Ordnance Survey and are for reference only. The purchaser will be deemed to have full knowledge of the boundaries and any error or mistake shall not annul the sale or entitle any party to compensation in respect thereof.

Should any dispute arise as to boundaries or any points arise on the General Remarks and Stipulations, particulars, schedules, plans, or the interpretation of any of them, such questions shall be referred to the selling agent whose decision acting as expert shall be final.

Wayleaves, Easements and Rights of Way: The property is sold subject to, or with the benefit of, all existing wayleaves, easements, quasi-easements, rights of way, covenants and restrictions whether mentioned in these particulars or not.

There is one public footpath across Lot 1 and 2, as shown green on the plan.

Part of the land within Lot 1, hatched grey on the plan, is subject to a private right of way for the benefit of neighbouring land.

The land will be sold subject to an overage covenant retaining to the vendor 50% of any uplift in value over a 25 year period arising out of a planning permission for development.

Exchange and Completion: Exchange to take place with a 10% deposit within 20 working days from receipt of the draft contract from the vendor's solicitor with completion within 28 days thereafter or later by agreement.

VAT: Any guide price quoted or discussed is exclusive of VAT. In

the event that a sale of the property or any part thereof, or any right to it becomes chargeable for the purposes of VAT, such tax will be payable in addition.

Fixtures and Fittings: Unless described in these particulars, fixtures and fittings are specifically excluded from the sale.

Method of Sale: The land is offered for sale by private treaty as a whole or in two lots.

#### Viewing

Strictly by appointment with the vendor's agent. Before travelling to view the property please discuss with the vendor's agent any point which is of particular importance to you. Interested parties must pre-register with Savills to arrange a viewing time and given the potential hazards of working farmland visitors must, before entering the property, be briefed on possible hazards. Visitors must carry a hard copy of these particulars for identification on site.

#### Directions

Heading east along the A1023 Shenfield Road turn left off the main road in Shenfield into Hall Lane. The entrance to Lot 1 lies on the left hand side after approximately 200 metres. Heading west from the A12 along the A1023 turn right into Hall lane and follow directions above for Lot 1.

The entrance to Lot 2 is at the end of Hallwood Crescent which is also accessed off the A1023 approximately 500 metres west of the Hall Lane/A1023 junction.

Brentwood - 1.0 mile

J28 M25 – 3.3 miles

Billericay – 4.9 miles

Romford – 7.7 miles

(All mileages approximate)



Acreage: 42.26 Acres

**More information from this agent**

To view this media, please visit the on-line version of this page at [www.rightmove.co.uk/property-for-sale/property-54957350.html](http://www.rightmove.co.uk/property-for-sale/property-54957350.html)

**To view this property or request more details, contact:**



**Savills, Chelmsford**

136 New London Road, Chelmsford, CM2 0RG

**01245 930107** Local call rate

MAP VIEW

STREET VIEW

Page 90

Note: The pin shows the centre of the property's postcode, and does not pinpoint the exact addressThe pin shows the exact address of the property Street View is unavailable in this location You're in the centre of the property's postcode. Start exploring the local area from here. Take me back to the start

**Nearest stations**

Shenfield(0.5 mi)

Brentwood(1.5 mi)

Ingatestone(3.8 mi)

Distances are straight line measurements from centre of postcode

**To view this property or request more details, contact:**



**Savills, Chelmsford**

136 New London Road, Chelmsford, CM2 0RG

**01245 930107**Local call rate

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Map data © OpenStreetMap contributors.

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**2 November 2015**

**Policy, Finance & Resources Committee**

**Hutton Community Centre**

**Report of:** *Gabrielle Murphy – Asset Strategy Performance Analyst*

**Wards Affected:** *Hutton North*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 The purpose of this report is to invite the Committee to consider increasing the potential term available for community groups to lease Hutton Community Centre. A previous report to this Committee dated 30 June 2015 limited the term to a period of 7 years.
- 1.2 The Council is marketing Hutton Community Centre for community use for a term of 7 years subject to the Heads of Terms attached at **Appendix A**. As part of the marketing process a community organisation has asked if the Council will consider granting a lease of longer than 7 years. They suggested that this is to allow them to raise grant funds to invest in the property.
- 1.3 Details of all offers, outcome of the evaluation of offers and officers recommendations will be submitted for consideration at this Committee at the 15 December 2015 meeting.

## **2. Recommendation**

- 2.1 That proposals for a lease of Hutton Community Centre for a term of longer than 7 years will be considered.**

## **3. Introduction and Background**

- 3.1 The Council is marketing Hutton Community Centre for a term of 7 years in accordance with a resolution of the this Committee dated 30 June 2015. As part of the marketing process a period of time was allowed for potential bidders to submit questions. A question has been raised enquiring if the Council would consider granting a lease of longer than 7 years to enable a community group to raise grant finance to invest in the property.
- 3.2 Legal advice has been obtained from the Council's Monitoring Officer who confirmed that the Council is at liberty to grant a lease of longer than 7 years on this occasion, even if this at less than best consideration, provided that the Community organisation can demonstrate that it can

contribute to economic, social or environmental improvement of the area and compliance with the Councils Disposals at Less than Best Consideration Policy approved on 27 March 2015 at the Council's Asset and Enterprise Committee.

#### 4. Issue, Options and Analysis of Options

4.1 Options available to the Council include:

Option	Benefits	Costs
Refuse to consider a lease over 7 years	Shorter period of time until reversion giving the Council possession sooner than if a longer lease were to be granted. This gives greater flexibility to the Council to exploit any future emerging opportunities which may arise during routine management of the Council's land portfolio.	Limit the appeal of the opportunity to community groups only interested in a 7 year lease. Make it harder for community organisations to apply for grants such as to refurbish the property. Financial sustainability may be adversely affected where funders require longer terms and so grant funding opportunities are lost.
Consider leases of longer than 7 years.	Allow community groups greater chances to raise grant funding to invest in the property. Maximise the appeal of the opportunity to a wider range of organisations. Creates increased certainty for the Council too.	Longer period of time until reversion so the Council gains possession later with the consequence that the Council's freedom of action is more restrained.

4.2 At the 25 March 2015 Community Committee Members agreed to list Hutton Community Centre as an Asset of Community Value. Members are reminded that as an Asset of Community Value if the Council agree to 'a relevant disposal' of Hutton Community Centre then the required process will apply.

4.3 'A relevant disposal' of a listed asset is the transfer of the freehold, or the grant or assignment of a qualifying lease which gives vacant possession of the buildings and other land in question. However they will not apply to all relevant disposals, as some types of relevant disposal are exempt. The relevant disposal is the transfer of the freehold, or the grant or assignment of a lease originally granted for at least 25 years, gives vacant possession to the new owner (see section 96 of the Localism Act 2011).

4.4 If the Council agree to 'a relevant disposal' they must inform the community group which nominated the asset for listing and publicise the proposal to dispose generally in the area where the asset is situated.

4.5 The Council's notification triggers an initial moratorium on the disposal for an initial period of 6 weeks. If during these 6 weeks a community group

states an intention to itself to bid for the asset for full 6 month moratorium on the disposal is triggered.

- 4.6 The Asset may be sold to a community group during this 6 month moratorium.
- 4.7 At the end of the 6 month period the asset can be sold on the open market. At this point community groups have the same rights as any other bidders. The community right to bid does not restrict who the owner of the asset can sell his property to, or at what price.

## **5. Reasons for Recommendation**

- 5.1 That the Committee agree to consider granting a lease of Hutton Community Centre for a term of longer than 7 years in order to maximise the appeal of the opportunity to a wider range of organisations.

## **6. Consultation**

- 6.1 None

## **7. References to Corporate Plan**

- 7.1 Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 7.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

## **8. Implications**

### **Financial Implications**

**Name & Title: Chris Leslie, Finance Director**

**Tel & Email: 01277 312 542 christopher.leslie@brentwood.gov.uk**

- 8.1 By agreeing to consider granting a lease of Hutton Community Centre longer than 7 years Members will maximise opportunities for community organisations to raise grant funding to invest in the property.

### **Legal Implications**

**Name & Title: Chris Potter, Monitoring Officer**

**Tel & Email: 01277 312 860 christopher.potter@brentwood.gov.uk**

- 8.2 Members are already aware of the need to consider and comply with the requirement of best consideration for a lease of over 7 years and also are fully conversant with the fact that Members can agree to dispose at an undervalue where the Council can demonstrate that such disposal at undervalue will contribute to the improvement of the economic, social or environmental well-being of the area and the undervalue is less than £2 million and any such offer complies with the Secretary of State's general disposal consent. The Council needs to obtain the views of a professionally qualified valuer as to the quantum of any particular undervalue as part of normal and prudent commercial practices so that Members know what financial consideration is being lost in exchange for such improvement value.
- 8.3 The Hutton Community Centre is listed as an Asset of Community Value and the effect of listing is to create a moratorium so that a local community group can have the opportunity to bid for the asset. The moratorium provides that the owner of land must not enter into a "relevant disposal", unless certain conditions are satisfied, including self-notification, an interim period of 6 weeks has passed without any bid from a community interest group and the protected period (18 months) has not ended. A "relevant disposal of land" includes the grant of a lease for a term. If a lease is granted for less than 25 years then that is not a relevant disposal of land and the question of a moratorium does not arise.
- 8.4 **Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

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

- None

10. **Appendices to this report**

- None

**Report Author Contact Details:**

**Name:** Gabrielle Murphy

**Telephone:** 01277312676

**E-mail:** gabrielle.murphy@brentwood.gov.uk



**2 November 2015**

**Policy, Finance and Resources Committee**

**Half Year Budget Review 2015/16**

**Report of:** *Chris Leslie, Finance Director*

**Wards Affected:** *All*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 This report provides Policy, Finance and Resources Committee with an update of the Council's revenue and capital outturn position as at the end of September 2015.
- 1.2 The estimated outturn on General Fund expenditure is projected at £10.180m against the current budget of £9.875m, a projected over spend of around £305k. This figure includes a projected shortfall of £80k on the savings target of £650k agreed for 2015/16.
- 1.3 The Housing Revenue Account (HRA) is projecting an in-year surplus of £97k, which is a decrease of £137k when compared with the current budget of an estimated surplus of £234k. The HRA is a ring-fenced account and cannot make or receive contributions to/from the General Fund.
- 1.4 The projected spend on capital stands at £7.587m for 2015/16 against the current programme of £14.591m. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur.

## **2. Recommendations**

**Policy, Finance and Resources Committee is recommended to:**

- 2.1 Note the projected outturn position for 2015/16 of the Council's General Fund revenue budget as at 30 September 2015, as detailed in paragraph 4 of the report;**
- 2.2 Note the progress being made on achieving the savings target of £650k in 2015/16 as detailed in paragraph 5 of the report;**

- 2.3 Note the projected outturn position for 2015/16 of the Council's HRA at 30 September 2015, as detailed in paragraph 6 of the report; and**
- 2.4 Note the current projected position for 2015/16 of the Council's capital budget as at 30 September 2015, as detailed in paragraph 7 of the report.**

### **3. Introduction and Background**

- 3.1 At the Council meeting on the 4 March 2015, Council approved the budgets for 2015/16 for the General Fund, HRA and Capital. The budget for the General Fund and Capital was amended at the Council meeting on 10 June 2015 and is reflected in the figures.

### **4 General Fund**

- 4.1 The 2015/16 General Fund budget was set as a break even position. The following table summarises the current projected General Fund spending position.

<b>Council Priority</b>	<b>Net Budget £'000</b>	<b>Full year forecast at 30/09/15 £'000</b>	<b>Variance £'000</b>
Street Scene & Environment	3,178	3,178	0
A Prosperous Borough	925	1,010	85
Localism	1,227	1,227	0
A Safe Borough	1,549	1,616	67
Housing Health & Wellbeing	568	610	42
A Modern Council	2,586	2,881	295
Central Expenses	400	400	0
Reserves	(558)	(742)	(184)
<b>Total</b>	<b>9,875</b>	<b>10,180</b>	<b>305</b>

- 4.2 An analysis of the key variances by service with explanations is provided in **Appendix A** to this report.
- 4.3 The current forecast over spend is £305k. If alternative savings are not found this will reduce the General Fund balances by £305k.
- 4.4 The table below shows the breakdown of the £742k of reserves that are projected to be used during 2015/16. This does not include costs associated with the senior management restructure.

<b>Reserve</b>	<b>£'000</b>	
Brentwood Community Fund	24	As agreed by Council in March 2015
Community Alarms	42	To cover the pressure for Homelessness
Duchess of Kent (Nightingale Centre)	10	As agreed by Council in March 2015
Economic Development	8	To cover one off cost of internship in Planning Policy
Funding Volatility	478	As agreed by Council in March 2015
Organisational Transformation	84	To fund one off expenditure such as severance payments.
Planning Delivery Grant	50	As agreed by Council in March 2015
Single Status	30	As agreed by Council in March 2015
William Hunter Way Development	16	As agreed by Council in March 2015
<b>Total</b>	<b>742</b>	

4.5 There are no projected overspends on the changes that were brought forward and agreed as part of the revised budget at Full Council in June 2015.

4.6 Officers are reviewing spending with the intention to reduce the forecast over spend by the end of the financial year.

## **5 Savings Tracker**

5.1 Savings of £650k have been agreed in 2015/16. At present it is projected that £80k of the savings will not be achieved and officers are looking into finding alternative savings to bridge this gap. The following table outlines the current position.

Service	Target £'000	Estimate £'000	Variance £'000	Comments
Street Scene	100	100	0	On target
Health, Safety and Localism	30	0	30	Shared service option no longer viable
Planning	50	50	0	On target
Projects and IT	30	30	0	On target
Asset Management	75	75	0	On target
Democratic / Legal Services	50	0	50	Delayed due to legal service review.
Senior Management Restructure	205	205	0	Dependant on implementation of revised structure
Customer Services Transformation	100	100	0	On Target
Lease review	10	10	0	On target
<b>Total</b>	<b>650</b>	<b>570</b>	<b>80</b>	

## 6 Housing Revenue Account

6.6 The HRA is currently forecasting to have a surplus of £97k in 2015/16. The budget was originally set with a projected surplus of £234k. This implies that there is projected reduction in the surplus of £137k.

6.7 The position is summarised in the table below.

Area	Net Budget £'000	Full year forecast at 30/09/2015 £'000	Over/(under) spend Forecast £'000
Total Service Expenditure	7,863	8,024	161
Total Service Income	(13,642)	(13,666)	(24)
Corporate Costs	411	411	-
Non-Service Costs	4,634	4,634	-
Appropriations	500	500	-
<b>(Surplus)/Deficit for HRA</b>	<b>(234)</b>	<b>(97)</b>	<b>137</b>

6.8 An analysis of the key variances by service with explanations is provided in **Appendix B** to this report.

## **7 Capital Programme**

7.6 The current projection for the capital programme is that it will spend £7.437m against the budget of £14.441m.

7.7 An analysis of the capital programme with explanations for variances is provided in **Appendix C** to this report.

## **8 References to Corporate Plan**

8.1 Good financial management underpins all priorities within the Corporate Plan. Regular budget monitoring is a key part of good financial management.

## **9 Implications**

### **Financial Implications**

**Name & Title:** Ramesh Prashar – Financial Services Manager

**Tel & Email:** 01277 312513 / Ramesh.prashar@brentwood.gov.uk

9.1 Financial implications are considered throughout this report.

### **Legal Implications**

**Name & Title:** Chris Potter, Monitoring Officer

**Tel & Email** 01277 312712 / christopher.potter@brentwood.gov.uk

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

## **10 Background Papers none at present**

## **11 Appendices to this report**

- Appendix A – General Fund Variations
- Appendix B – HRA Variations
- Appendix C – Capital Programme Variations

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GENERAL FUND  
VARIATIONS

	Net Budget	Projected Year End Position	Variance	
	£'000	£'000	£'000	
Street Scene & Environment	3,178	3,178	0	<b>NOTE:</b> There is a projected overspend of £313k which has arisen from the additional cost arising from the new Re-cycling Contract. This overspend will be funded from the re-cycling grant received from central government a few years ago. £278k of this has been included in the budgets for a number of years with 2016/17 being the final year. However, the 2016/17 allocation will be required to fund the projected overspend this year. This has been reflected in the year end position.
A Prosperous Borough	925	1,010	85	This overspend of £85k is mainly due to interims covering vacant posts, severance payment and spend on William Hunter Way. £33k will be funded from earmarked reserves and this has been reflected in the reserves line.
Localism	1,227	1,227	0	On target.
A Safe Borough	1,549	1,616	67	The projected overspend is mainly due to overtime to cover shifts, re-allocation of salary costs, budgeted CCTV income no longer recoverable e.g from parishes, severance payments and some minor miscellaneous overspends. £33k will be funded from earmarked reserves and this has been reflected in the reserves line.
Housing Health & Wellbeing	568	610	42	This overspend of £42k is mainly due to the increase demand in homelessness and the increased cost to accommodate them. This overspend will be funded from earmarked reserves and has been reflected in the reserves line.
A Modern Council	2,586	2,881	295	The projected overspend of £295k is mainly due to increased costs in the legal contract with BDT (£100k), unachievement of savings in democratic services (£50k), bank charges (£20k), postage charges (£20k), management support (£50k), increase in computer maintenance charges (£20k) and increase in insurance premiums (£35k)
Central Expenses	400	400	0	On target.
Reserves	(558)	(742)	(184)	See breakdown of the £742k in paragraph 4.4 of the main report.
<b>Total</b>	<b>9,875</b>	<b>10,180</b>	<b>305</b>	

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## HOUSING REVENUE ACCOUNT (HRA) VARIATIONS

Service	Service	Area	Variance Overspend/ (Underspend) £'000	Comments
Repairs & Maintenance	Void Responsive Repairs	General R&M	98	Backlog of void repairs from previous financial year
Repairs & Maintenance	Responsive Repairs	General R&M	82	Increase to electrical works on properties
<b>Repairs &amp; Maintenance Total</b>			<b>180</b>	
Supervision & Management	Policy & Management	Salaries / Project Management Support	(11)	Net cost of employment of project manager for the development of the Council's garage sites after allowing for a reduction in establishment and vacancies
Supervision & Management	Policy & Management	Tenant Participation	(8)	Projected reduction in expenditure to be more in line with the 2014/15 outturn
<b>Supervision &amp; Management Total</b>			<b>(19)</b>	
Charges for Services & Facilities	Leaseholders / Supporting People	Service Charge Income / Supporting People Tenant Charge	(24)	Projected increase in income for Service Charges offset by a reduction in income for Supporting People Tenant Charge which is more inline with 2014/15 outturn
<b>Charges for Services &amp; Facilities Total</b>			<b>(24)</b>	
<b>Variance Total</b>			<b>137</b>	

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CAPITAL PROGRAMME VARIATIONS

Project	Budget £000	Projection £000	Variance £000	Comments
HRA DECENT HOMES SCHEMES	5,121	3,437	(1,684)	Budget includes slippage brought forward from 2014/15. The programme of works will not be all completed in 2015/16 as there are not enough contractors for the workload There are plans for the Decent Home Programme to be reviewed pending a stock condition survey
TOWN HALL REMODELLING	3,745	335	(3,410)	Spend in 2015/16 will be on internal moves, new furniture & IT
IMPROVEMENTS & PARKING SCHEME AT BRETWOOD & SHENFIELD	1,600	20	(1,580)	Cost effective alternative parking has been temporarily identified for 2015/16.
NEW HOMES BUILD (HRA)	1,000	1,000	0	On target
SECTION 106 FUNDED SCHEMES	1,195	1,195	0	On target
UPGRADE THE MULTI STOREY CAR PARK	375	250	(125)	Tenders received back but works likely to slip into 2016/17
VEHICLE REPLACEMENT PROGRAMME	350	350	0	On target
DISABLED FACILITIES GRANT	280	280	0	On target
UNAUTHORISED INCURSIONS	150	150	0	On target
PLAY AREA REFURBISHMENTS	130	130	0	On target
ASSET MANAGEMENT STRATEGY	126	0	(126)	No planned works at present
CAR PARK REFURBISHMENT AND UPGRADE	110	110	0	On target
ICT STRATEGY	100	100	0	On target
BRETWOOD LEISURE TRUST	88	0	(88)	No planned works at present
HUTTON COMMUNITY CENTRE	50	50	0	On target
IRRIGATION TO GOLF COURSE	50	50	0	On target
RENAISSANCE GROUP	48	48	0	On target
HOME REPAIR ASSISTANCE GRANTS	30	30	0	On target
HUTTON DRIVE PARKING BAYS	20	29	9	On target
OPEN SPACE SIGNAGE	13	13	0	On target
CCTV SYSTEM UPGRADE	8	8	0	On target
FOLDING MACHINE	2	2	0	On target
<b>Total Programme</b>	<b>14,591</b>	<b>7,587</b>	<b>(7,004)</b>	

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**2 November 2015**

**Policy, Finance and Resources Committee**

**Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2015/16**

**Report of:** *Chris Leslie, Finance Director*

**Wards Affected:** *All*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 The Treasury Management Strategy Statement (TMSS) for 2015/16 was approved by this Council on 4 March 2015.
- 1.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) issued a Code of Practice for Treasury Management. The Code suggests that members should be informed of Treasury Management activities at least twice a year.
- 1.3 This report, which covers the first six months of the 2015/16 financial year, therefore ensures this Authority is embracing best practice and meeting the statutory requirements.
- 1.4 The legal status of the Code is derived from regulations issued under the Local Government Act 2003 which require local authorities to “have regard to guidance that the Secretary of State may by regulations specify.” The Code and the CIPFA Prudential Code fall into this category.

## **2. Recommendation(s)**

- 2.1 To note the Treasury Management Activity for the period 1 April 2015 to 30 September 2015**

### **3. Introduction and Background**

3.1 The Council follows the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2011). The primary requirements of the Code are as follows:

- The creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's Treasury Management Activities.
- The creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- To provide Members with the following reports:
  - a. an Annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead,
  - b. a Mid-year Review Report.
  - c. an Annual Report (stewardship report) covering activities during the previous year.
- The delegation by the Council of responsibilities for implementing and monitoring Treasury Management Policies and practices and for the execution and administration of treasury management decisions.

3.2 This report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first half of the 2015/16 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure (prudential indicators);
- A review of the Council's investment portfolio for 2015/16;
- A review of the Council's borrowing strategy for 2015/16;
- A review of any debt rescheduling undertaken during 2015/16;
- A review of compliance with Treasury and Prudential Limits for 2015/16.

3.3 Key changes to the Treasury and Capital Strategies :

No changes to the 2015/16 Strategies are proposed by this report.

## **4 Context – Economic update**

- 4.1 Whilst the Bank of England is forecasting growth to remain around 2.4 – 2.8% over the next three years, recent forward looking surveys for the services and manufacturing sectors showed a marked slowdown in the rate of growth, reflecting concerns among exporters over the strength of Sterling against the Euro and of weak growth in the EU, China and emerging markets.
- 4.2 In order for the domestic economic recovery to become more balanced and sustainable in the longer term there needs to be a shift away from dependence on consumer expenditure and the housing market to manufacturing and investment expenditure.
- 4.3 The overall strong UK growth has resulted in unemployment falling quickly over the last few years. The Chancellor and the Bank of England Monetary Policy Committee (MPC) have been particularly concerned that the squeeze on the disposable incomes of consumers should be reversed by wage inflation rising above the rate of general inflation in order to ensure that the recovery will be sustainable.
- 4.4 Wage inflation has now risen significantly above Consumer Price Index inflation, the rate of which had slipped back to zero in June and again in August, driven by a fall in oil and commodity prices. The August Bank of England Inflation Report forecasts that inflation will barely get back up to the 2% target within a 2-3 year time horizon. Although year on year average weekly earnings reached 2.9% in the three months to July, the continuing positive output gap and low inflation mean this is unlikely to provoke the MPC to raise the bank rate soon.
- 4.5 There are considerable risks around whether inflation will rise in the near future as strongly as previously expected, which will remove the need for central banks in both the US and the UK to raise rates. Central banks retain the option of additional quantitative easing should domestic growth slow in reaction to the international economy. It is unlikely they will raise rates until they are sure growth is securely embedded.
- 4.6 The forecast for the first increase in Bank Rate has therefore been pushed back from Q1 to Q2 of 2016, with any subsequent increases at a much slower pace and to much lower levels than prevailed before 2008, although any increase will have a lower effect on consumer demand given the reduction in aggregate consumer debt from the levels prevalent before the global financial crisis.
- 4.7 **Interest Rate Forecast**

The Council's treasury advisor, Capita Asset Services, has provided the forecast as outlined in Table 1:

	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18
Bank rate	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.50%	1.50%	1.75%	1.75%
5yr PWLB rate	2.40%	2.50%	2.60%	2.80%	2.90%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%
10yr PWLB rate	3.00%	3.20%	3.30%	3.40%	3.50%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
25yr PWLB rate	3.60%	3.80%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.60%
50yr PWLB rate	3.60%	3.80%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.60%	4.60%

Capita Asset Services undertook a review of its interest rate forecasts in early August. Subsequently, fears around the slowdown in China and Japan caused major volatility in equities and bonds and sparked a flight from equities into safe havens like gilts and which depressed PWLB rates. News in September in respect of Volkswagen, and other corporates, has compounded downward pressure on equity prices.

The latest forecast shown above includes a first increase in Bank Rate in quarter 2 of 2016.

#### 4.8 Treasury Management Strategy Statement & Annual Investment Strategy

The Treasury Management Strategy Statement (TMSS) for 2015/16, which includes the Annual Investment Strategy, was approved by the Council on 4 March 2015. In line with CLG investment guidance it sets out the Council's investment priorities as being:

- Security of capital;
- Liquidity; and
- Yield

Credit rating information is supplied by Capita Asset Services on all active counterparties that comply with the criteria shown below. Any counterparty failing to meet the criteria would be omitted from the counterparty (dealing) list. Any rating changes, rating watches (notification of a likely change), rating outlooks (notification of a possible longer term change) are provided to officers almost immediately after they occur and this information is considered before dealing. The criteria for providing a pool of high quality investment counterparties with the time and monetary limits for institutions on the Council's counterparty list are summarised in Table 2:



<b>Table 2: Counterparty minimum criteria</b>			
	<b>Fitch Long Term Rating (or equivalent)</b>	<b>Money Limit</b>	<b>Time Limit</b>
<b>Banks 1 Higher Quality:</b> Abbey National Treasury Services Citibank International Plc Close Brothers Limited Credit Suisse International Goldman Sacks International Bank HSBC Bank plc MBNA Bank plc MBNA Europe Bank Santander UK Plc Standard Chartered Bank UBS Ltd	F1, A	£3m	1yr
<b>Banks 2 Part Nationalised:</b> Bank of Scotland plc Lloyds Bank Royal Bank of Scotland National Westminster Bank	N/A	£5m £3m £10m £3m	1yr 1yr 1yr 1yr
<b>UK Building Societies:</b> Nationwide Building Society Coventry Building Society	A	£5m	1yr
<b>Banks 3 Council's Banker</b>  Lloyds Bank	N/A	£3m	1 day
Debt Management Account Deposit Facility (DMADF)	AAA	Unlimited	6mths
Local Authorities	N/A	£5m	1yr
Money Market Funds	AAA	£3m	1yr

Additional requirements under the Code require the Council to supplement credit rating information.

Whilst the above criteria rely primarily on the application of credit ratings to provide a pool of appropriate counterparties for officers to use, additional operational market information will be applied before making any specific investment decision from the agreed pool of counterparties. This additional market information (for Credit Default Swaps, negative rating watches/outlooks) will be applied to compare the relative security of differing investment counterparties.

### **Investment Portfolio 2015/16**

- 4.9 In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. The investment market remains very difficult in terms of earning the level of interest rates commonly seen in previous decades as rates remain low.

4.10 In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in higher rates in periods up to 12 months, with highly credit rated financial institutions.

4.11 The Council held £16.3m of investments as at 30 September 2015 (£8.8m at 31 March 2015). During the period 1 April to 30 September 2015, the Council placed the following investments:

<b>Table 3: Investments held as at 30 September 2015</b>				
<b>Date invested</b>	<b>Date to be repaid</b>	<b>Invested in</b>	<b>Investment amount £</b>	<b>Interest rate %</b>
02/09/2015	Call	Royal Bank of Scotland	322,000	0.25
29/09/2015	Call	Bank of Scotland	2,000,000	0.4
<b>Total call deposits</b>			<b>2,322,000</b>	
01/04/2015	04/01/2016	Nationwide Building Society	1,000,000	0.79
01/04/2015	01/02/2016	Nationwide Building Society	2,000,000	0.82
15/04/2015	15/01/2016	Nationwide Building Society	1,000,000	0.79
30/06/2015	31/12/2015	Santander	2,000,000	0.69
01/07/2015	04/01/2016	Santander	1,000,000	0.69
31/07/2015	29/02/2016	Lancashire County Council	2,000,000	0.45
07/08/2015	08/02/2016	Newcastle City Council	2,000,000	0.35
11/08/2015	11/02/2016	Coventry Building Society	1,000,000	0.6
01/09/2015	01/03/2016	Nationwide Building Society	2,000,000	0.66
<b>Total fixed term deposits</b>			<b>14,000,000</b>	
<b>TOTAL INVESTMENTS</b>			<b>16,322,000</b>	

4.12 Surplus funds were held in call accounts held with Bank of Scotland and the Royal Bank of Scotland for cash flow purposes.

4.13 The Section 151 Officer confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2015/16.

### **Investment Income**

4.14 The Council's budgeted investment return for 2015/16 is £60,000. Actual income received to date is around £20,769 below the profiled budget, due to the timing of interest receipts. At this stage the forecast year end position for investment income is still as per budget.

<b>Table 4: Investment income earned as at 30 September 2015</b>				
<b>Original estimate £</b>	<b>Actual at 30 Sept £</b>	<b>% earned at 30 Sept</b>	<b>Estimated outturn £</b>	<b>Outturn variance £</b>
60,000	9,231	15%	60,000	0

## Borrowing

- 4.15 During the period 1 April to 30 September 2015, no new external borrowing was undertaken. Details of all loans held by the Council as at 30 September 2015 are shown in Table 5 below:

<b>Table 5: Debt held as at 30 September 2015</b>					
<b>Repayment date</b>	<b>Period of loan (yrs)</b>	<b>Type of loan</b>	<b>Fixed / variable</b>	<b>Interest rate</b>	<b>Amount outstanding £'000</b>
<b>PWLB LOANS:</b>					
28/03/2017	5	Maturity	Fixed	1.240%	5,000
28/03/2022	10	Maturity	Fixed	2.400%	5,000
28/03/2027	15	Maturity	Fixed	3.010%	10,000
08/01/2028	25	Maturity	Fixed	4.875%	400
28/03/2032	20	Maturity	Fixed	3.300%	15,000
28/03/2037	25	Maturity	Fixed	3.440%	15,000
28/03/2042	30	Maturity	Fixed	3.500%	14,166
24/02/2055	60	Maturity	Fixed	8.875%	800
30/04/2055	60	Maturity	Fixed	8.875%	800
<b>TOTAL</b>					<b>66,166</b>

It is anticipated that further borrowing will not be undertaken during this financial year.

### The Council's Capital Position (Prudential Indicators)

- 4.16 This part of the report provides an update on:
- The Council's capital expenditure plans;
  - How these plans are being financed;
  - The impact of any changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
  - Compliance with the limits in place for borrowing activity.
- 4.17 The Council undertakes capital expenditure on long-term assets. These activities may either be:
- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
  - If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.
- 4.18 Table 6 below shows the actual capital expenditure together with the expected financing:

<b>Table 6: Capital expenditure</b>					
	<b>2015/16 Original estimate £m</b>	<b>Current budget £m</b>	<b>Current spend 30 Sept £m</b>	<b>At 30 Sept %</b>	<b>2015/16 est outturn £m</b>
Non HRA	5.096	8.470	0.480	5.7%	3.150
HRA	4.535	6.121	0.989	16.2%	4.437
<b>Total expenditure</b>	<b>9.631</b>	<b>14.591</b>	<b>1.469</b>	<b>10.1%</b>	<b>7.587</b>
Financed by:					
Capital receipts, grants and contributions	7.146	14.591	1.469	10.1%	7.587
<b>Total financing</b>	<b>7.146</b>	<b>14.591</b>	<b>1.469</b>		<b>7.587</b>
Borrowing for HRA	2.485	0	0		0

**The Authorised Limit** - is the “affordable borrowing limit” required by Section 3 of the Local Government Act 2003. The Council does not have the power to borrow above this level.

**The Operational Boundary** – the Operational Boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

<b>Table 7: Prudential Indicators - Affordability</b>		
	<b>2015/16 Original est £m</b>	<b>2015/16 Revised est £m</b>
<b>Authorised Limit</b>	<b>90.0</b>	<b>90.0</b>
<b>Operational Boundary</b>	<b>87.0</b>	<b>87.0</b>

Table 8 shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period.

<b>Table 8: Capital Financing Requirement / External Debt</b>		
	<b>2015/16 Original est £m</b>	<b>2015/16 Revised est £m</b>
CFR non-HRA	11.490	7.441
CFR HRA	69.847	68.847
<b>Total CFR</b>	<b>81.337</b>	<b>76.288</b>
Borrowing	69.772	66.166
Other long term liabilities	0.013	0.013
<b>Total debt at 31 March</b>	<b>69.785</b>	<b>66.179</b>
<b>Under/(over) borrowing</b>	<b>11.552</b>	<b>10.109</b>

The Council's projected capital financing requirement (CFR) for 2015/16 is £76.3m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing).

## **Summary**

- 4.19 In compliance with the requirements of the CIPFA Code of Practice of Treasury Management, this report provides Members with an in-year report of the treasury management activities for 2015/16 to date. As is indicated in this report, none of the Prudential Indicators have been breached, and a prudent approach has been taken in relation to investment decisions taken so far, with priority being given to security and liquidity over yield.
- 4.20 Whilst investment returns are still low as a consequence of prevailing low interest rates, the Authority is anticipating that investment returns will meet those originally budgeted. The Council maintains a positive Capital Financing Requirement and any funding issues associated with this position will be managed in accordance with the approved Treasury Management Strategy Statement (TMSS).

## **5 Reasons for Recommendation**

- 5.1 This report meets the requirements of the CIPFA Code of Practice of Treasury Management.

## **6 Consultation**

- 6.1 None.

## **7 References to Corporate Plan**

- 7.1 Sound financial management underpins all of the priorities within the Corporate Plan.

## **8 Implications**

### **Financial Implications**

**Name & Title:** Ramesh Prashar, Financial Services Manager

**Tel & Email** 01277 312513 / ramesh.prashar@brentwood.gov.uk

- 8.1 The financial implications are outlined in the report.

### **Legal Implications**

**Name & Title:** Chris Potter, Monitoring Officer

**Tel & Email** 01277 312712 / christopher.potter@brentwood.gov.uk

- 8.2 There are no direct legal implications arising from this report.

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

9.1 4 March 2015 Treasury Management Strategy Statement 2015/16.

**10 Appendices to this report**

None

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## **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, of 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.



## **Policy, Finance and Resources Committee**

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

### **Policy**

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

### **Finance**

- 1) Financial Services
  - 2) Contracts, commissioning, procurement
  - 3) Legal services
  - 4) Health and safety at work (in so far as it relates to the Council as an employer)
  - 5) Corporate communications and media protocols
  - 6) Corporate and Democratic services
  - 7) Member Development
  - 8) Data quality
  - 9) Human resources
  - 10) Information Communication Technology
  - 11) Revenues and Benefits
  - 12) Customer Services
  - 13) Assets (strategically)
2. Overall responsibility for monitoring Council performance.
3. To formulate and develop relevant corporate policy documents and strategies including the Corporate Plan.
4. To formulate the budget proposals in accordance with the Budget and Policy Framework, including capital and revenue spending, and the Housing Revenue Account Business Plan (including rent setting for Council homes), in accordance with the Council's priorities and make recommendations to Council for approval.
5. To formulate the Council's Borrowing and Investment Strategy and make recommendations to Council for approval.
6. To take decisions on spending within the annual budget to ensure delivery of the Council's priorities.

7. To approve the making of a virement or payment from the Council's reserves with a maximum value of £200,000.
8. To approve the write-off of any outstanding debt owed to the council above the delegated limit of £5,000.
9. To determine capital grant applications.
10. To make recommendations on the allocation and use of resources to achieve the Council's priorities.
11. To manage and monitor the Council approved budgets;
12. To provide the lead on partnership working including the joint delivery of services.
13. To consider any staffing matters that are not delegated to Officers, such as proposals that are not contained within existing budgetary provision.
14. To strategically manage any lands or property of the Council and provide strategic property advice relating to the Council's Housing Stock and without prejudice to the generality of this, to specifically undertake the following:-

#### The Council's Asset Management Plan

- (a) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.
- (b) The granting variation renewal review management and termination of leases licenses dedications and easements.
- (c) Promoting the use of Council owned assets by the local community and other interested parties.
- (d) To manage any lands or property of the Council;
- (e) To include properties within the Council's Asset Management Portfolio including Halls etc.
- (f) To take a strategic approach to asset management, ensuring that the use of all of the Council's Property assets achieves Value for Money and supports the achievement of the Council's corporate priorities.
- (g) To review the Corporate Asset Management Plan annually.
- (h) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
- (i) Disposal of land (including by lease) surplus to the requirements of any Panel or Committee.
- (j) Appropriation of land surplus to the requirements of a committee.
- (k) Promote the use of Council owned assets by the local community and other interested parties where appropriate.
- (l) Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.

(m) To take a strategic approach to commercial activity, both existing and new, ensuring the Council realises revenue generation opportunities and supports the achievement of the Council's corporate priorities.

(n) Promoting a culture of entrepreneurialism and building the required skills and capacity.

(o) To consider, and approve, business cases and commercial business plans for commercial activity.

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