



# Agenda

## Ordinary Council

Wednesday, 19 July 2017 at 7.00 pm  
Council Chamber - Town Hall

---

### Membership (Quorum – 10)

Cllrs Russell (Mayor), Mrs Murphy (Deputy Mayor), Aspinell, Barrell, Barrett, Bridge, Clarke, Chilvers, Cloke, Mrs Coe, Mrs Davies, Faragher, Mrs Fulcher, Hirst, Mrs Hones, Hossack, Mrs Hubbard, Keeble, Kendall, Kerslake, McCheyne, Mrs McKinlay, Mrs Middlehurst, Morrissey, Mynott, Newberry, Parker, Poppy, Mrs Pound, Reed, Ms Rowlands, Ms Sanders, Mrs Slade, Mrs Squirrell, Trump, Tumbridge and Wiles

---

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Declarations of Interest		
3.	Mayors Announcements		
4.	Police and Crime Commissioner for Essex		
5.	Minutes of previous meetings (25.1.17 and 1.3.17) and Annual Council		5 - 56
6.	Leader's Statement (deferred from Annual Council)		
7.	Public Questions		

8. **Memorials or Petitions**
9. **Committee Chairs Reports and Members Questions**  
Report to follow.
10. **Appointment of representatives on Outside Organisations**  
Report to follow.
11. **Notices of Motion**  
Report to follow.
12. **Urgent Business**  
An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.

A handwritten signature in black ink, appearing to read 'P. L. Russell', with a large, sweeping underline.

Chief Executive

Town Hall  
Brentwood, Essex  
04.07.2017

---

### Information for Members

#### Substitutes

---

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.

---

#### Rights to Attend and Speak

---

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.

---

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

---

##### Point of Order

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

##### 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 Mayor 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 Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate, If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used 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 Mayor on the admissibility of a point of information or clarification will be final.

---

## Information for Members of the Public

---

### **Access to Information and Meetings**

You have the right to attend all meetings of the Council and 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).

---

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

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

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

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

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

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

---

### **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.

---

### **modern.gov app**

View upcoming public committee documents on your Apple or Android device with the free modern.gov app.

---

### **Access**

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

### **Evacuation Procedures**

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



## Minutes

---

**Ordinary Council**  
**Wednesday, 25th January, 2017**

### Attendance

Cllr Mrs Hones (Mayor)	Cllr McCheyne
Cllr Russell (Deputy Mayor)	Cllr Mrs McKinlay
Cllr Aspinell	Cllr Mrs Middlehurst
Cllr Barrell	Cllr Mrs Murphy
Cllr Barrett	Cllr Mynott
Cllr Bridge	Cllr Newberry
Cllr Cloke	Cllr Parker
Cllr Mrs Coe	Cllr Poppy
Cllr Mrs Davies	Cllr Mrs Pound
Cllr Faragher	Cllr Reed
Cllr Mrs Fulcher	Cllr Ms Rowlands
Cllr Hirst	Cllr Ms Sanders
Cllr Hossack	Cllr Mrs Slade
Cllr Mrs Hubbard	Cllr Mrs Squirrell
Cllr Keeble	Cllr Tumbridge
Cllr Kendall	Cllr Wiles
Cllr Kerlake	

### Apologies

Cllr Clarke	Cllr Morrissey
Cllr Chilvers	Cllr Trump

### Substitute Present

### Also Present

### Officers Present

John Chance	-	Finance Director (Section 151 Officer)
Philip Ruck	-	Chief Executive
Jean Sharp	-	Governance and Member Support Officer
Steve Summers	-	Group Manager In House Services
Daniel Toohey	-	Monitoring Officer

**255. Apologies for Absence**

Apologies were received from Cllrs Chilvers, Clarke, Morrissey and Trump.

**256. Mayors Announcements**

The Mayor recounted some of the engagements she had undertaken since the last Ordinary Council meeting held on 19 October 2016.

**257. Minutes of the previous meeting**

The minutes of the Ordinary Council meeting held on 19 October 2016 were approved as a true record.

**258. Public Questions**

In accordance with the Council's Constitution, a member of the public resident within the Borough may ask a maximum of two questions relating to the business of the Council providing notice had been received by 10.00am two clear working days before the relevant meeting.

A question was received from Brentwood resident Ms Smith but as she was unable to attend the meeting her question would not be put forward.

One question had been received from Brentwood resident Mrs Gearon-Simm as follows:

*'A private company, Essex Cares, enables adults with learning disabilities to learn in a work-place environment, from which place they can move on to the commercial sector such as Costa, McDonalds and care homes.*

*Will the café facility, which is, at present, in the library in Brentwood shopping centre and which provides opportunities for such training to happen, be transferred to the town hall if the library is moved there?'*

Cllr Mrs McKinlay advised that the issue of the library as she had previously said is something for the County Council to decide whether its going to be housed where it is currently or whether it is to be moved to the Town Hall and those discussions are ongoing whether the café that is part of that so couldn't answer directly for the County Council. The plans we have for this building do involve us having a café facility here and as part of that we are looking if we can work with individuals with learning difficulties to support them. In addition we are talking to one of the local churches who run a very successful outreach programme dealing with people who need additional support to see if we can work in partnership with them so it is something that we are aware of and think it is a fantastic approach which means people move into the commercial sector so we will continue to explore it if we can.

Two questions were asked from Brentwood resident Mrs Kordlandt as follows:

*'How many applicants are currently waiting for social housing on Brentwood's Housing Register? How has this number changed in the past year and how long on average do they have to wait for a property in Brentwood to become available?'*

Cllr Mrs McKinlay advised that the figure as of April last year was 711 on the list and as of today was 827. In terms of the time taken for people to receive a council property would depend on the number of bedrooms. For a one bedroom it is around 2 and a half years, 2 bedroom just over 4 years and 3 bedroom just over 3 years.

Mrs Kordlandt continued:

*'Why is there no social housing included in the proposals for Dunton Hills Garden Village?'*

Cllr Mrs McKinlay advised that it very much depends on your definition of social housing; as around 35% of the proposed development is intended to be for affordable housing and first time buyers. If by social housing you are specifically meaning council housing then that is something that we are looking at. It is worth noting clearly we don't own any of the land at Dunton Hills. If we were to start building council houses that we owned, that would come at considerable costs in terms of acquiring the land not to mention the build. I would take this opportunity as well to say we have over the last few months started building the very first council homes in the borough for I believe 20-30 years in Hutton at disused garage sites. That is something we are proud of and will continue to look at. There are other areas within the borough that we are exploring. It is something that I would like to see us as a Council increase the provision of, as there is clearly a need but I don't think we should just focus on council housing as I say, it is about a mix supply particularly around first time buyers and more affordable housing. A final point, we are also exploring what can be done for key workers and people who have specific ties to the borough.

One question was asked from Brentwood resident Ms Pearson as follows:

*'I would like to ask the Chair of the LDP Working Group if there can be an independent traffic survey of Priests Lane ensuring the area between Glathams Road and Middleton Hall Lane are considered?'*

Cllr McCheyne advised that he had discussed this with Mr Drane and the group and can ensure that it is a standard requirement that highways and traffic surveys are undertaken at normal times of the day excluding school holidays. A number of accounts at different times of the day give a full picture. This requirement is standard practice and transport consultants, planners, developers will all be aware of the requirement. Any survey that is undertaken outside these normal conditions will be accepted as a reliable

base by the council or highways authority. I will be asking Mr Drane about it at the next meeting.

One question was asked from Brentwood resident Mr Skinner as follows:

*'What does the council think of the number of responses raised in relation to the Priests Lane site in the LDP (site 044 and 178) particularly with regard to the number of complaints over road safety, increased congestion and pollution, and increased pressure of currently stretched infrastructure in the Priest Lane area?'*

Cllr McCheyne advised it is under consultation at the moment and we have fortnightly LDP meetings so we will be discussing this.

## **259. Memorials or Petitions**

No notices of memorials or petitions had been received.

## **260. Committee Chairs Reports and Members Questions**

In accordance with the Council's Constitution, a brief written report by each committee Chair covering their area of responsibility was included in the agenda.

Any Member was entitled to ask a Chair a written or oral question on

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

*(Cllrs Mrs Hones and Cloke declared a non-pecuniary interest under the Council's Code of Conduct during the question regarding fireworks by virtue that they are part of a local fireworks display team.)*

*(Cllr Hirst declared a non-pecuniary interest under the Council's Code of Conduct during the question regarding the Police moving into the Town Hall by virtue of being the Police and Crime Commissioner for Essex.)*

No written questions had been received before the prescribed deadline and the Chairs responded to oral questions put to them by Members.

## **261. Appointment of Monitoring Officer**

An appointment of the Monitoring Officer for Brentwood Borough Council was required and by doing so ceased the current interim appointment.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendation in the report and it was **RESOLVED** that:



**Subject to the outcome of the Staff Appointments Committee Panel on the 19<sup>th</sup> January 2017, Daniel Toohey was appointed as the Council's Monitoring Officer in accordance with Section 5 of the Local Government & Housing Act 1989.**

**Reason for recommendation**

The Monitoring Officer Role:

Part one article 9.3 of the constitution set out the duties of the Monitoring Officer, which are in brief:

- a. Maintaining the constitution
- b. Ensuring lawfulness and fairness of decision making
- c. Proper officer for access to information
- d. Providing advice

Appointment process:

Part 3.1 section 2.8(a) of the constitution allows for the Staff Appointments Committee to appoint the Monitoring Officer.

Under part 3.1 section 1.2(p) Ordinary Council must confirm the appointment.

**262. Partnership Policy and Procedures**

The Council needed to ensure that any partnerships that it was involved in were both efficient, effective and that they could deliver value for money for the residents. A large amount of public money was invested in partnerships and therefore partnerships should be actioned and the outcome focussed, whilst encouraging innovative solutions for change. Partnerships should also be monitored regularly to ensure any underperforming partnerships were highlighted and any appropriate action was taken.

The revised and updated Partnerships Policy and Procedures would provide a framework for procedures for staff that would provide a consistent approach across the Council. This would ensure that any partnerships not only supported the Council's priorities, but also strengthened the accountability amongst partners, minimise the risk to the Council and rationalise the Council's partnership working arrangements.

Cllr Tumbridge – I had the benefit of asking some questions away from the meeting and requested the response to be minuted: I believe that the bullet points at the bottom of page 41 de facto constitute the tests which officers will use to distinguish between the types of partnership that might be dealt with. One part being dealt with officers in the absence of members involvement and the others with; I think that was one part it is good to have clear and make a suggestion that in due course officers through their delegated authority might consider a small adjustment to the draft partnership checklist that begins on page 46 to tell people where those bullet points are so that everyone is very clear on what officers are dealing with in the absence of members.

Cllr Mrs McKinlay **MOVED** and Cllr Parker **SECONDED** the recommendation in the report and it was **RESOLVED** that:

**Members agreed to the revised Partnership Policy and Procedures as appended to the report.**

**Reason for recommendation**

The Internal Audit review of the partnership working recommended strengthening the partnership arrangements. The Policy and Procedures had been revised to ensure that the council was only involved in partnership working which supported one or more of the Council's priorities to deliver the outcomes that would support Brentwood Borough residents and businesses.

**263. Local Development Plan Update**

The report would be considered at the 31 January 2017 Policy, Finance and Resources Committee meeting.

**264. Pay Policy 2017/18**

The Council was asked to agree the Pay Policy 2017/18 as attached at appendix A within the report in accordance with Section 38(1) of the Localism Act 2011.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendation in the report and it was **RESOLVED** that:

**The 2017/18 Pay Policy Statement as set out in Appendix A was agreed.**

**Reason for recommendation**

To comply with the statutory requirement to annually approve the Council's Pay Policy.

**265. Arrangements for appointment of External Auditors**

The report summarised the arrangements for appointing external auditors for 2018/19 onwards when the transitional arrangements end following the abolition of the Audit Commission end in 2017/18.

Cllr Mrs McKinlay **MOVED** and Cllr Mrs Pound **SECONDED** the recommendation in the report and it was **RESOLVED UNANIMOUSLY** that:

**The Council opts in to the national scheme run by Public Sector Audit Appointments Ltd for the appointment of the Council's external auditor for the five financial years beginning from 2018/19.**

**266. Local Council Tax Support Scheme**

The report recommended no changes to be made to Brentwood's Local Council Tax Support Scheme for 2017/18.

People of pension age continued to be protected from any changes in Local Council Tax; therefore any scheme had to be devised for people of working age only.

Public consultation on revised scheme options was undertaken from 7<sup>th</sup> September 2016 to 19<sup>th</sup> October 2016.

The Brentwood Borough Council scheme continued to be prepared within the framework of an Essex-wide scheme with local variations. For the previous three years Brentwood's scheme had remained virtually unchanged, again there are no proposing changes to the 2017/18 scheme.

The proposals for the 2017/18 scheme were agreed by the Policy, Finance and Resources Committee in December 2015 and recommended to Full Council for adoption.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendation in the report and it was **RESOLVED** to:

**Approve Brentwood's Council Tax Support Scheme with no changes to the levels of support for working age customers.**

**Reason for recommendation**

To agree and adopt the proposed Council Tax Support Scheme for 2017/18 prior to the 31<sup>st</sup> January 2017.

**267. Key Corporate Project Report**

The report provided an update on the achievements and targets to date of the key corporate projects of the Council.

There were defined as:

- a) The Town Hall & Service Delivery Hub
- b) The Local Development Plan (LDP)
- c) The Town Centre (incorporating William Hunter Way)
- d) The Transformation Agenda of the Council

The above was not an exhaustive list and other projects may have been incorporated as determined by the committee. However, such projects were defined as beings integral to the delivery of the revised Corporate Plan 2016-2019.

*Cllr Bridge declared a non-pecuniary interest in relation to the Transformation of the Council as he works for an IT cloud provider but does not have a relationship with the council.*

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendation in the report and following a discussion it was **RESOLVED**:

**That Members agreed to the actions and timescales incorporated in the report.**

**Reason for recommendation**

To ensure that the Corporate Plan 2016-2019 was supported by projects that deliver the necessary change.

**268. Review of the Council's Constitution 2016/17**

The Council was required by Section 37 of the Local Government Act 2000 to keep the Constitution up to date.

The report set out a number of proposals for revising the following Parts of the Constitution: Articles of the Constitution (Chapter 2); Council Procedure Rules (Part 4.1); Financial Regulations (Part 4.5); Member's Planning Code of Good Practice (Part 5.2), and Delegations to Staff (Chapter 8 Appendix A).

The cross party Constitution Working Group was consulted on the proposed changes and the attached documents reflected the significant and detailed contribution of the Working Group's Members.

Cllr Tumbridge **MOVED** and Cllr Wiles **SECONDED** the recommendations in the report and it was **RESOLVED UNANIMOUSLY** that:

**Council approves the changes to its Constitution as detailed in the revised documents attached as Appendix A of the report.**

**Reason for recommendation**

As set out within the report, a regular review of the Constitution was required; the report and the attachments set out the reasoning behind items proposed for change.

**269. Notices of Motion**

Cllr Aspinell **MOVED** and Cllr Kendall **SECONDED** his Motion as follows:

**'This council resolved that before Freedom Of Information responses are released to the public they are checked by the Chief Executive and the Monitoring Officer when councillors names are included in the response.'**

A proposed amendment had been received from Cllr Mrs McKinlay as follows:

*'This Council resolves that before FOI responses are released to the public, a member is informed of the content by the CEO or Monitoring Officer when the councillor's name is included in the response.'*

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the amendment.

Cllr Aspinell accepted the amendment.

Mr Toohey confirmed that the Monitoring Officer and Chief Executive would have discussed the response and informed members before they are released to the public.

Cllr Tumbridge **MOVED** a further amendment and was **SECONDED** by Cllr Aspinell as follows:

***“This Council resolves that before FOI responses are released to the public, a member is informed of the content by the CEO or Monitoring Officer by Day 12 of the response period, when the councillor’s name is included in the response.”***

A vote was taken by a show of hands and the **MOTION** was **CARRIED UNANIMOUSLY**.

**270. Urgent Business**

There were no items of urgent business.

This page is intentionally left blank

# Minutes

---

## Ordinary Council Wednesday, 1st March, 2017

### Attendance

Cllr Mrs Hones (Mayor)	Cllr Kerlake
Cllr Russell (Deputy Mayor)	Cllr McCheyne
Cllr Aspinell	Cllr Mrs McKinlay
Cllr Barrett	Cllr Mrs Middlehurst
Cllr Bridge	Cllr Morrissey
Cllr Clarke	Cllr Mrs Murphy
Cllr Chilvers	Cllr Mynott
Cllr Cloke	Cllr Newberry
Cllr Mrs Coe	Cllr Parker
Cllr Mrs Davies	Cllr Poppy
Cllr Faragher	Cllr Mrs Pound
Cllr Mrs Fulcher	Cllr Reed
Cllr Hirst	Cllr Ms Sanders
Cllr Hossack	Cllr Mrs Slade
Cllr Mrs Hubbard	Cllr Trump
Cllr Keeble	Cllr Tumbridge
Cllr Kendall	Cllr Wiles

### Apologies

Cllr Barrell	Cllr Mrs Squirrel
Cllr Ms Rowlands	

### Substitute Present

### Also Present

### Officers Present

John Chance	-	Finance Director (Section 151 Officer)
Ramesh Prashar	-	Financial Services Manager
Philip Ruck	-	Chief Executive
Jean Sharp	-	Governance and Member Support Officer
Lorne Spicer	-	Business Development and PR Manager
Steve Summers	-	Group Manager In House Services

Daniel Toohey - Monitoring Officer  
Jacqueline Van Mellaerts - Principal Accountant

## 291. Apologies for Absence

Apologies were received from Cllrs Barrell, Ms Rowlands and Mrs Squirrel.

## 292. General Fund and Housing Revenue Account (HRA) Budget 2017/18

The Medium Term Financial Plan (MTFP) considered by Policy, Finance and Resources Committee on 29 November 2016 gave Members an update on the various significant changes that would impact on the Council's financial position. Particular issues highlighted, relevant to the General Fund and HRA, included the phasing out of the Revenue Support Grant (RSG), changes to the New Homes Bonus and the Business Rates Retention Scheme.

The fundamental principles of the Council's MTFP were to:

- (i) Maintain a sustainable financial position against a background of unprecedented financial uncertainty and reduced government funding, including the delivery of efficiency targets.
- (ii) Support the vision of our Borough through appropriate identification of resources required to deliver the key priorities outlined in the "Vision for Brentwood".
- (iii) Maximise opportunities and mitigate risks associated with the fundamental change to the way in which local government is financed.

The report considered:

- (i) The General Fund budget proposals for 2017/18 to 2019/20.
- (ii) The Housing Revenue Account (HRA) budget proposals for 2017/18 onwards.
- (iii) The Capital Programme 2017/18 to 2019/20.
- (iv) The Treasury Management and Investment Strategy for 2017/18.

The Leader of the Council and Chair of Policy, Finance and Resources Committee, Cllr Mrs McKinlay, introduced the proposed budget for 2016/17 and **MOVED** the recommendations in the report which Cllr Kerslake **SECONDED**.

Cllr Aspinell, as leader of the major opposition group, responded to the Leader's statement.

Six amendments had been submitted in accordance with Rule 3.15 of the Council's Procedure Rules.



Cllr Mrs McKinlay **MOVED** and Cllr Kerlake **SECONDED** the **AMENDMENT** received from the Conservative Group which proposed two additional recommendations, 2.1b and 2.8, each referring to Table 8.1 which was included in the published amendment, and Cllr Mrs McKinlay **ACCEPTED** the amendment.

Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the first proposed **AMENDMENT** submitted by the Labour Group, as follows:

*For the financial year 2017/18 onwards Brentwood Borough Council removes its Second Home Discount (10%) from Council Tax and reduces the Empty Home Council Tax Discount (100%) from three months to two weeks.*

*This can be immediately implemented, as confirmed by advice from officers.*

Cllr Mrs McKinlay did not accept the **AMENDMENT** however she expressed her interest in taking the proposal forward at a later date and invited Cllr Barrett to be involved in future related discussions.

Following a debate a vote was taken on a show of hands and the **AMENDMENT** was **LOST**.

Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the Labour Group's second **AMENDMENT**, as follows:

*Creating a revenue stream through early payment of invoices - the London Boroughs of Bexley and Croydon produce rebate income from early payment of invoices to achieve a return on procurement costs of around 0.1%. The income will be related to spending – and as such larger in years with greater capital spending.*

*There is a delay in implementation to find an appropriate partner to implement this scheme.*

Mrs McKinlay did not accept the **AMENDMENT**.

Following a debate during which a Member requested the Council's full confidence in the Section 151 Officer be minuted, a vote was taken on a show of hands and the **AMENDMENT** was **LOST**.

Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the third **AMENDMENT** submitted by the Labour Group, as follows:

*Build a Memorial Wall both for former residents and pets. Estimates have been developed taking costs of similar local authority and applying a prudent take up of 150 total per year.*

*There is a lower income in year 2017/18 to account for the construction and any necessary planning requirements.*

Cllr Mrs McKinlay did not accept the **AMENDMENT** and advised that the proposal had been included in the proposed budget under Senior Officer Initiatives.

In light of this, Cllr Barrett **WITHDREW** the proposed **AMENDMENT**.

Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the fourth **AMENDMENT** submitted by the Labour Group, as follows:

*Use experience of the Housing Department to set up a private sector focused letting agency. Given numerous problems with local letting agencies and potential to work more closely with CAB set up 'best practice' model. This could potentially be a sustainable income stream for the Council, alongside offering benefits in cost reduction on homelessness and housing concerns through strengthened delivery.*

Cllr Mrs McKinlay did not accept the **AMENDMENT** and advised that the proposal had been included in the proposed budget.

In light of this, following a debate, Cllr Barrett **WITHDREW** the proposed **AMENDMENT**.

Cllr Aspinell **MOVED** and Cllr Mynott **SECONDED** the **AMENDMENT** submitted by the Liberal Democrat Group as follows:

*The Lib Dem Group would like to propose that this Council investigates and invests in the work needed to set up a LATCO to enable Brentwood Borough Council to generate revenue in addition to grants and council tax income through entrepreneurial ideas.*

Cllr Mrs McKinlay did not accept the **AMENDMENT** and following a debate, a vote was taken on a show of hands and the **AMENDMENT** was **LOST**.

Returning to the **SUBSTANTIVE MOTION**, following a debate in accordance with Procedure Rule 8.3.5 which set out the length of speeches and in accordance with Procedure Rule 9.6 of the Constitution, a recorded vote was taken. Cllr Aspinell had left the Chamber during the debate and therefore did not vote.

The Mayor advised that she had agreed to a Member's request to divide the recommendations into 3 separate votes: 2.1 and 2.1b, 2.5, 2.6 and 2.7 - the General Fund and Capital Programme, 2.2, 2.3 and 2.4 – the Housing Revenue Account (HRA), and 2.8 – Council Tax.

Members voted as follows on recommendations 2.1 and 2.1b, 2.5, 2.6 and 2.7 relating to the General Fund and Capital Programme:

For: Cllrs Bridge, Cloke, Mrs Coe, Faragher, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Middlehurst, Mrs Murphy, Parker,

Poppy, Mrs Pound, Reed, Russell, Ms Sanders, Mrs Slade, Trump, Tumbridge and Wiles (22)

Against: Cllrs Barrett, Chilvers, Clarke, Mrs Davies, Mrs Fulcher, Mrs Hubbard, Keeble, Kendall, Morrissey, Mynott and Newberry (11)

Abstain: (0)

Members **RESOLVED:**

**General Fund:**

**2.1 To approve the General Fund - Revised MTFP for 2017/18 as shown in Table 7 at paragraph 8.2 which includes the proposed savings target envelope as shown in Table 8 at paragraph 8.7 of this report.**

**2.1b To agree the General Fund budget detail savings and growth outlined in Table 8.1.**

**Capital programme**

**2.5 To approve the proposed Capital Programme and Funding totalling £33.9 million for 2017/18 to 2019/20 as set out in Tables 15 and 16 of the report.**

**2.6 To approve the Treasury Management and Investment Strategy as set out in Section 12 of the report.**

**2.7 To note the Section 151 Officer's Assurance Statement as set out in Section 13 of the report.**

Members voted as follows on recommendations 2.2, 2.3 and 2.4 relating to the Housing Revenue Account (HRA)

For: Cllrs Bridge, Cloke, Mrs Coe, Faragher, Hirst, Mrs Hones, Hossack, Kerlake, McCheyne, Mrs McKinlay, Mrs Middlehurst, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Russell, Ms Sanders, Mrs Slade, Trump Tumbridge and Wiles (22)

Against: Cllrs Chilvers, Clarke, Mrs Davies, Mrs Fulcher, Mrs Hubbard, Keeble, Kendall, Mynott and Newberry (9)

Abstain: Cllrs Barrett and Morrissey (2)

Members **RESOLVED:**

- 2.1 To approve the HRA Business Plan for 2017/18 and beyond as shown in Appendix E of the report.
- 2.2 To approve a 1% decrease in rents for 2017/18 and for the following 2 years.
- 2.3 To recommend to apply the formula rent to all new tenancies from April 2017/18.

Members voted as follows on recommendation 2.8 relating to Council Tax.

For: Cllrs Bridge, Cloke, Mrs Coe, Faragher, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Middlehurst, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Russell, Ms Sanders, Mrs Slade, Trump Tumbidge and Wiles (22)

Against: Cllrs Barrett, Chilvers, Clarke, Mrs Davies, Mrs Hubbard, Keeble, Kendall, Morrissey, Mynott and Newberry (10)

Abstain: Cllr Mrs Fulcher (1)

Members **RESOLVED**

### **Council Tax 2017/18**

- 2.8 To approve a Council Tax increase of £5 (Band D) for 2017/18, to fund the growth items outlined in Table 8.1.

#### **Reason for Recommendation**

The Council is required to approve the Budget as part of the Budget and Policy Framework.

Following this item of business the meeting was adjourned for a short comfort break.

### **293. Council Tax 2017/18**

The Council was the billing authority for the Borough of Brentwood and was required to set a Council Tax that would not only cover its own requirements, but also those of Essex County council, Police and Crime Commissioner, Fire authority and the Parish Councils.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report and following a debate and in accordance with Procedure Rule 9.6 of the Constitution, a recorded vote was taken.

Members voted as follows:

For: Cllrs Bridge, Cloke, Mrs Coe, Faragher, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Mrs McKinlay, Mrs Middlehurst, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Russell, Ms Sanders, Mrs Slade, Trump Tumblebridge and Wiles (22)

Against: Cllrs Aspinell, Barrett, Chilvers, Clarke, Mrs Davies, Mrs Hubbard, Keeble, Kendall, Morrissey, Mynott and Newberry (11)

Abstain: Cllr Mrs Fulcher (1)

Members **RESOLVED:**

- 1. That the Council approve the formal Council Tax resolution for Brentwood Borough Council and Parishes as contained in Appendix A.**
- 2. That it be noted that for the year 2017/18 Essex County Council, Essex police and Crime Commissioner and Essex Fire Authority have issued the following precept requirements to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 (as amended) (“the Act”) for each of the categories of dwellings (valuation and) shown in Table 2.**
- 3. That having calculated the aggregate in each case of the amounts calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands and the amounts in 2.2 above, the Council, in accordance with Section 40 of the Act, hereby sets the amounts in Table 3 as the amounts of Council Tax for the year 2017/18 for each of the categories of dwellings shown in Table 3 within the report.**

#### **Reason for recommendations**

The Council had a legal requirement to set out the Council Tax for its area by 11 March 2017.

#### **294. Revenues & Benefits Shared Service Agreement**

The matter was considered by the Policy, Finance and Resources Committee on 15<sup>th</sup> February 2017 where it was resolved to recommend to Ordinary Council the approval of the Revenues & Benefits Shared Service Agreement subject to the appropriate delegated authority.

The detail of the proposed agreement was set out in the report to the Policy, Finance and Resources Committee on the 15<sup>th</sup> February 2017 attached as appendix A and B (exempt) to the report.

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

## **RESOLVED**

- 1. To approve that the Council enters a new sharing agreement for provision of the Revenues and Benefits Service with Basildon Borough Council on the basis set out in Appendix A of the report.**
- 2. That delegated authority be given to the Section 151 Officer, in consultation with the Leader of the Council as appropriate, to agree and formally enter the agreement once negotiations have been completed.**

*(Cllr Bridge declared a non-pecuniary interest under the Council's Code of Conduct by virtue of being employed by an IT provider but advised that the company had no contract with the Council).*

### **Reason for recommendations**

To enable the Council to deliver effective and efficient Revenues and Benefits Services for the benefit of the Council and its customers.

## **295. Urgent Business**

There were no items of urgent business but Cllr Kendall requested confirmation of whether or not the Ordinary Council meeting for 24 April 2017 would take place.

The Chief Executive advised that Members would be advised as soon as a decision had been made regarding this meeting.

---

The meeting ended at 10.15pm

## Minutes

---

### Annual Council Wednesday, 17th May, 2017

#### Attendance

Cllr Mrs Hones (Mayor)	Cllr McCheyne
Cllr Russell (Deputy Mayor)	Cllr Mrs McKinlay
Cllr Aspinell	Cllr Mrs Middlehurst
Cllr Barrell	Cllr Morrissey
Cllr Barrett	Cllr Mrs Murphy
Cllr Bridge	Cllr Mynott
Cllr Clarke	Cllr Newberry
Cllr Cloke	Cllr Parker
Cllr Mrs Coe	Cllr Poppy
Cllr Faragher	Cllr Mrs Pound
Cllr Mrs Fulcher	Cllr Reed
Cllr Hirst	Cllr Ms Rowlands
Cllr Hossack	Cllr Ms Sanders
Cllr Mrs Hubbard	Cllr Mrs Slade
Cllr Keeble	Cllr Mrs Squirrell
Cllr Kendall	Cllr Trump
Cllr Kerlake	Cllr Tumbridge

#### Apologies

Cllr Chilvers	Cllr Wiles
Cllr Mrs Davies	

#### Officers Present

John Chance	-	Finance Director (Section 151 Officer)
Philip Drane	-	Planning Policy Team Leader
Zoey Foakes	-	Governance & Member Support Officer
Tim Huggins	-	ICT Manager
Claire Mayhew	-	Governance and Member Support Officer
Philip Ruck	-	Chief Executive
Jean Sharp	-	Governance and Member Support Officer
Lorne Spicer	-	Business Development and PR Manager
Steve Summers	-	Group Manager In House Services
Daniel Toohey	-	Monitoring Officer
Jacqueline Van Mellaerts	-	Financial Services Manager
Angela Williams	-	Interim Head of Housing

**1. Apologies for Absence**

Apologies for absence were received from Cllrs Chilvers, Mrs Davies and Wiles, also from the Rt Hon Sir Eric Pickles MP.

**2. Mayor's Announcements**

The Mayor congratulated Cllrs Aspinell, Kendall and Mrs McKinlay on their election as Essex County Councillors and recounted some of the highlights of her Mayoral year.

The Mayor was delighted to advise that she had raised £21,500 for her chosen charities during the year and presented cheques to representatives of Remus Memorial Horse Sanctuary, Georgia's Teenage Cancer Appeal, Christy Hall Charitable Trust and SNAP.

**3. Designate a Mayor for the Municipal Year 2017/18**

Annual Council elected a Mayor to serve for the ensuing Municipal Year.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** that Cllr Will Russell should be Mayor and it was

**RESOLVED UNANIMOUSLY that**

**Cllr Russell be installed as Mayor for the Municipal Year 2017/18.**

**4. Designate a Deputy Mayor for the Municipal Year 2017/18**

Annual Council appointed a Deputy Mayor to serve for the ensuing Municipal Year.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** that Cllr Mrs Sheila Murphy be appointed Deputy Mayor and it was

**RESOLVED UNANIMOUSLY that**

**Cllr Mrs Murphy be appointed as Deputy Mayor for the Municipal year 2017/18.**

**5. Receive any declarations of interest from Members and Officers**

No declarations of interest were received.



## 6. Designate a Leader and Deputy Leader of the Council

Annual Council designated a Leader and Deputy Leader of the Council.

The Constitution stated that it was the function of the Council to elect from its Members a Leader and Deputy Leader of the Council.

Cllr Kerslake **MOVED** and Cllr Mrs Pound **SECONDED** that Cllr Mrs McKinlay be designated as Leader of the Council and it was

**RESOLVED UNANIMOUSLY that**

**Cllr Mrs McKinlay be designated Leader of the Council.**

Cllr Mrs McKinlay **MOVED** and Cllr Hossack **SECONDED** that Cllr Kerslake be designated Deputy Leader of the Council and it was

**RESOLVED UNANIMOUSLY that**

**Cllr Kerslake be designated Deputy Leader of the Council.**

## 7. Leader's Statement

Members were advised that due to the meeting taking place in the pre-election period for the General Election on 8 June 2017, the Leader's statement would be deferred to the first Ordinary Council meeting of the Municipal Year.

## 8. Committees and their Terms of Reference

The Council was requested to formally establish those committees it considered necessary to fulfil its functions in the ensuing municipal year, in accordance with the requirements of both legislation and the Council's Constitution.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report.

Cllr Mynott **MOVED** and Cllr Aspinell **SECONDED** an **AMENDMENT** to the Terms of Reference for the Corporate Projects Scrutiny Committee, proposing that 3) should read: To establish working groups (in line with agreed protocols) to include undertaking the major Corporate projects work programme, including setting their terms of reference, the reporting arrangements, and to co-ordinate and review the work of the working groups.

Cllr Mrs McKinlay **ACCEPTED** the **AMENDMENT** and following a discussion a vote was taken on a show of hands and it was

**RESOLVED UNANIMOUSLY**

1. That the Committees listed in Appendix A be appointed for the Municipal Year 2017/18.
2. That the size of the Committees listed in Appendix A be agreed.
3. That the Terms of Reference of the Committees listed in Appendix A be agreed, subject to the amendment detailed above.
4. That the Council's Monitoring Officer be authorised to make the necessary changes to the Constitution.

*For clarity, Appendix A is attached to these minutes.*

**9. Political Balance, Allocation of Committee Seats and Committee Appointments**

The Council was required to make appointments to those Committees that were established by Agenda Item 8 for the effective discharge of its functions.

Members were asked to:

- a) Approve the allocation of seats on Committees
- b) Receive the nominations from political groups to Committees
- c) Appoint Chairs and Vice-chairs of Committees

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report and it was

**RESOLVED UNANIMOUSLY**

1. That the allocation of seats as set out in Appendix A be approved;
2. That the nominations from the political groups to Committees as set out in Appendix B be approved;
3. That the Chairs and Vice-Chairs of Committees as set out in Appendix C be appointed.

*For clarity, Appendix A including Appendices B and C are appended to these minutes.*

## **10. Members Allowances 2017-2018**

The Council operated a members' Allowances Scheme which was reviewed annually by the Independent Remuneration Panel (IRP). The IRP had reviewed the current scheme and had made recommendations for the 2017/18 municipal year. Their report was before Members.

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

### **RESOLVED**

- 1. That the report of the Independent Remuneration Panel at Appendix A be noted.**
- 2. That the Members' Allowances at Appendix B be agreed.**

## **11. Committee Calendar for 2017-2018**

The Constitution under Council Procedure Rule 2.1(r) provided that the Annual Council meeting of the Council would consider an item of business to agree the date, time and place of ordinary meetings of the Council and its committees for the coming Municipal Year.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendation in the report and it was

### **RESOLVED UNANIMOUSLY**

**That the Calendar of meetings attached as Appendix A for 2017/18 be approved.**

*For clarity the Calendar of Meetings is appended to these minutes.*

## **12. Urgent Business**

There were no items of urgent business.

---

The meeting ended at 20.00hrs

13. **Appendices - Committees and Their Terms of Reference; Political Balance, Allocation of Seats and Committee Appointments; Committee Calendar for 2017/18**

The following Committees are established under all Council powers:-

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

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

## **CHAPTER 3 - POWERS AND DELEGATIONS**

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

#### **1. Matters Reserved to meetings of Council**

##### **1.1 Council**

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

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

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

##### **1.2 Functions of the Council**

Only the Council will exercise the following functions:-

- (a) adopting and approving changes to the Constitution;
- (b) adopting and amending Contract Standing Orders and Financial Regulations;
- (c) agreeing and/or amending the terms of reference for committees and any joint committees, deciding on their composition chairmanship and making initial appointments to them;
- (d) appointing representatives to outside bodies and consultative groups unless the appointment has been delegated by the Council;
- (e) adopting and amending a members' allowances scheme under Chapter 6;

- (f) to elect the Leader and Deputy Leader of the Council;
- (g) to designate the Chairs and Vice Chairs of the Council;
- (h) adoption of the Code of Conduct for Members;
- (i) electoral and ceremonial matters relevant to the Council
- (j) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (k) setting the Council's Budget and Council Tax;
- (l) approving the making of a virement or payment from the Council's reserves for values exceeding £200,000;
- (m) approving of the Council's Corporate Plan;
- (n) approving or adopting the Council policies and strategies which form the policy framework;
- (o) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (p) confirming the appointment or dismissal of the Chief Executive; Monitoring Officer; and Section 151 Officer;
- (q) to consider reports on cross cutting matters not expressly delegated to another committee;
- (r) all other matters which by law must be reserved to Council;

## **2. General Powers of Committees**

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

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

- (a) To carry out the duties and powers of the Council within current legislation;
- (b) To comply with the Council's standing orders and financial regulations;
- (c) To operate within the budget allocated to the committee by the Council.
- (d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council
- (e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the committee;
- (f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;

- (g) To consider and approve relevant service plans;
- (h) To determine fees and charges relevant to the committee;

## **2.1 Policy, Projects and Resources Committee**

1. The functions within the remit of the Policy, Projects 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.

15. To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countywide or regional economic development initiatives.

#### Economic Development

- (a) To lead, consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countywide or regional economic development initiatives.
- (b) To promote and encourage enterprise and investment in the Borough in order to maintain and sustain the economic wellbeing and regeneration of the area.

- (c) To develop a climate where businesses and individuals can innovate, compete and contribute to the economic development and regeneration of the area; and excellence in local business.
- (d) To encourage the growth of existing businesses in the Borough and access to the skills and training necessary to support them.
- (e) To develop and deliver a Borough wide initiative on apprenticeships
- (f) To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.
- (g) To consult with the Chamber of Commerce, Federation of Small Businesses, residents and other interested third parties.
- (h) To maintain a special interest in promoting employment in the borough.
- (i) To promote and encourage tourism and heritage
- (j) Parking (off Street parking provision in Council owned/leased off-street parking places)
- (k) Crossrail

16. To review and facilitate the transformation of delivery of services.

#### Transformation

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

#### 17. Projects

- (a) To identify, monitor and oversee the implementation of major Corporate projects.
- (b) To advise the Corporate Projects Scrutiny Committee of the major Corporate projects that require scrutiny in 2017/18.

## **2.2 Environment and Enforcement Committee**

1. The functions within the remit of the Environment and Enforcement Committee (including the operational management of assets which for the sake of clarity also comprises maintenance) are set out below:
  - 1) Waste management, refuse collection and recycling
  - 2) Environmental improvement schemes
  - 3) The quality of the public realm, including street services and grounds maintenance

- 4) Highway matters that are the responsibility of the Borough Council (including highway closures under the Town Police Clauses Act 1847) and drainage
- 5) Public conveniences
- 6) Cemeteries and closed churchyards
- 7) Unlawful incursions
- 8) Operational facilities management (including maintenance) of the Town Hall and the Depot
- 9) Environmental nuisance and pollution controls
- 10) Other miscellaneous powers enforced by Environmental Health
- 11) Food safety and health and safety
- 12) Oversee and monitor the enforcement activities of the Council.

### **2.3 Community, Health and Housing Committee**

1. The functions within the remit of the Community, Health and Housing Committee are set out below
  - 1) Community and Localism Initiatives including Assets of Community Value
  - 2) The Voluntary Sector and community partnerships
  - 3) Leisure and cultural initiatives.
  - 4) Parish Council liaison
  - 5) Health and Wellbeing
  - 6) Grants to organisations/voluntary organisations.
  - 7) Parks, open spaces, countryside, allotments
  - 8) Community Safety and CCTV
  - 9) Affordable housing
  - 10) Housing strategy and investment programme where the Policy, Projects and Resources Committee does not decide to exercise such functions as the superior Committee
  - 11) The Housing Revenue Account Business Plan where the Policy, Projects and Resources Committee does not decide to exercise such functions as the superior Committee

- 12) Housing standards, homelessness, homelessness prevention and advice
- 13) Housing needs assessment
- 14) Housing benefit - welfare aspects
- 15) Private sector housing and administration of housing grants
- 16) Tenancy Management and landlord functions
- 17) To make recommendations to Policy, Projects and Resources on the setting of rents for Council homes.

2. To take the lead on community leadership and consultation with stakeholders.

## **2.4 Audit Committee**

The Audit Committee provides advice to the Council and the committees on the effectiveness of the arrangements for the proper administration of the Council's financial affairs, including all relevant strategies and plans. Without prejudice to the generality of the above, the terms of reference include those matters set out below;

### Audit Activity

- (a) To approve the Annual Internal Audit risk based plan of work.
- (b) To consider the Head of Internal Audit's annual report and opinion, and a summary of Internal Audit activity and the level of assurance it can give over the Council's corporate governance, risk management and internal control arrangements.
- (c) To consider regular progress reports from Internal Audit on agreed recommendations not implemented within a reasonable timescale.
- (d) To consider the External Auditor's annual letter, relevant reports, and the report to those charged with governance.
- (e) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- (f) To consider the arrangements for the appointment of the Council's Internal and External Auditors.

### Regulatory Framework

- 1) To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.
- 2) To review any issue referred to it by a Statutory Officer of the Council or any Council body.
- 3) To monitor the effective development and operation of risk management and corporate governance in the Council.

- 4) To monitor Council policies and strategies on  
Whistleblowing  
Money Laundering  
Anti-Fraud and Corruption  
Insurance and Risk Management  
Emergency Planning  
Business Continuity
- 5) To monitor the corporate complaints process.
- 6) To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- 7) To consider the Council's compliance with its own and other published standards and controls.
- 8) To be responsible for the Council's strategic and budgetary framework and its implementation.

#### Accounts

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

#### **2.5 Corporate Projects Scrutiny Committee**

The Corporate Projects Scrutiny Committee acts as the Council's Overview and Scrutiny Committee with all the powers under Part 3 of the Local Authorities (Committee System) (England) Regulations 2012, and discharges the functions under section 19 of the Police and Justice Act 2006 (local authority scrutiny of crime and disorder matters). Without prejudice to the generality of the above, the terms of reference include those matters set out below:

- 1) Responsible to scrutinise major Corporate projects as identified and agreed by the Policy, Projects and Resources Committee.
- 2) To report to the Policy, Projects and Resources Committee on the progress of the major Corporate projects and to make relevant recommendations.
- 3) To establish working groups (in line with agreed protocols) to include undertaking the major Corporate projects work programme, including setting their terms of reference, the reporting arrangements, and to co-ordinate and review the work of the working groups.

- 4) Responsibility for the monitoring of Council service performance, including Performance Indicators, Formal Complaints and Freedom of Information requests, making reports if required to any committee, or sub-committee, any officer of the Local Authority, or any joint committee on which the Local Authority is represented, or any sub-committee of such a committee.
- 5) To review and/or scrutinise decisions made, or other action taken, in connection with the discharge of any functions of the Local Authority.
- 6) To deal with those issues raised through the 'Councillor Call for Action' scheme in line with agreed protocols and procedures.
- 7) To review and/or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions.
- 8) To make reports or recommendations to the Local Authority with respect to the discharge by the responsible authorities of their crime and disorder functions.

## **2.6 Planning and Licensing Committee**

### Planning

- (a) Town and Country Planning Act 1990 and any related legislation including:-
  - (i) determination of planning applications;
  - (ii) enforcement of planning control;
  - (iii) waste land notices, purchase notices, etc.
- (b) Listed Buildings and Conservation Areas Act 1990
  - (i) determination of applications for Listed Buildings and Conservation Area consent;
  - (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.
  - (a) To guide the Council in setting its policy objectives and priorities.
  - (b) To carry out the duties and powers of the Council under current legislation;
  - (c) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.
  - (d) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;

- (e) To consider and approve relevant service plans;
- (f) To comply with the standing orders and financial regulations of the Council;
- (g) To operate within the budget allocated to the committee by the Council.
- (h) To determine fees and charges relevant to the committee;

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

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

### Licensing

- (a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
- (b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
- (c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.
- (d) To exercise all other functions relating to licensing and registration including
  - i. Trading Requirements
  - ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
  - iii. Animal Welfare and Security
  - iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing
  - v. Sex establishments (including Sex Entertainment Venues (SEV))
  - vi. Pavement Permits
  - vii. Charitable Collections
  - viii. Camping, Caravan Sites and Mobile Homes
  - ix. Scrap Metal
  - x. Game Dealers
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.

- (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
  
- (g) To manage and monitor the budgets in respect of licensing and vehicle licensing.

## **2.7 Licensing Sub-Committees**

To hear and determine applications that do not sit within the scope of delegation to officers, usually where representations have been received either by a third party against grant of a license, or from the applicant against intended refusal or revocation of a license/registration.

The Planning and Licensing Committee has delegated all functions other than relevant policies and fees setting to officers, with the exception of those other matters as indicated below, which are heard by licensing sub-committee unless otherwise indicated:

### **Licensing Act 2003 and Gambling Act 2005**

- (a) Determination of any application type where a representation has been received in accordance with the legislation.
  
- (b) Determination of applications for review or expedited review.

### **Hackney Carriage vehicles and drivers (including enforcement of ranks) and Private Hire vehicles, drivers and operators, with the exception of:**

- (a) Suspension or revocation of drivers' licenses (save for initial suspension under provision of Local Government (Miscellaneous Provisions) Act 1976 S61 (2B) if it appears that the interests of public safety require the suspension to have immediate effect).
  
- (b) Where representation has been submitted by the applicant/license holder against refusal of any application.
  
- (c) Where representation has been received from an applicant to vary a licensing or pre-licensing condition.

### **Scrap Metal Dealing**

- (a) Determination of applications where representations have been received against refusal in accordance with legislative requirements; and
  
- (b) Consideration of revocation of a license where representations have been received in accordance with legislative requirements

### **Street Collections and House to House Collections**

- (a) Appeals against refusal to grant or renew a license.

### **Licensing of sex establishments**

- (a) Determination of all applications, revocations and appeals.

### **Street Trading**



- (a) Determination of applications where representation(s) has been received.
- (b) Determination of applications that fall outside of current policy.
- (c) Determination of matters relating to revocation of a license.

**Acupuncture, Tattooing, Skin and Ear Piercing and Electrolysis**

- (a) Appeals against refusal to grant or renew a registration.
- (b) Revocation of a registration.

**Animal Welfare and Security, except for the following:**

- (a) Appeals against refusal to grant or renew a license.
- (b) Revocation of a license.

**Exercise of Powers under Caravan Sites and Control of Development Act 1960, except for:**

- (a) Refusal and revocation of licenses, (other than urgent refusals which are delegated to officers)

**Mobile Homes**

- (a) Appeals against revocation of a license and/or conditions attached to the grant of a license.

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

- (a) To appoint the following designated officers:

Chief Executive  
Section 151 Finance Officer  
Monitoring Officer

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

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

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

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

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

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

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

## Extract from Part 4.1 – Council Procedure Rules

### 18. Size

<b>Committee</b>	<b>Membership</b>	<b>Quorum</b>
Policy, Projects and Resources	9	3
Environment and Enforcement	9	3
Community, Health and Housing	9	3
Planning and Licensing	12	4
Audit	9	3
Corporate Projects Scrutiny	9	3
Staff Appointments*	9	3
Dismissal Appeals *	9	3

\* These committees meet on demand.

### 20. Appointments and Substitutes

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

This page is intentionally left blank

## Brentwood Borough Council POLITICAL BALANCE – 17 May 2017

The Political Balance of the Council is:

POLITICAL GROUP	NO. OF MEMBERS	%
CONSERVATIVE	24 =	64.864
LIBERAL DEMOCRATS	9 =	24.324
LABOUR	2 =	5.405
NON- ALIGNED	2 =	5.405
<b>TOTALS</b>	<b>37</b>	<b>100</b>

POLITICAL GROUP	NO. OF MEMBERS	NO. OF SEATS ON ORDINARY COMMITTEES
CONSERVATIVE	24	49 (48.648)
LIBERAL DEMOCRATS	9	18 (18.243)
LABOUR	2	4 (4.054)
NON- ALIGNED	2	4 (4.054)
		<b>75</b>

### PROPOSAL:

	AC*	CH & HC**	CPSC* **	DAC+	E & EC ++	P & LC#	P,P&R ##	SAC~	TOTAL
	(9)	(9)	(9)	(9)	(9)	(12)	(9)	(9)	75
CON	6	6	6	6	6	8	5	6	49
LIB DEM	2	2	2	2	3	3	2	2	18
LAB	-	-	1	-	-	1	1	1	4
NON- AL.	1	1	-	1	-	-	1	-	4
	9	9	9	9	9	12	9	9	<b>75</b>

\*A C denotes Audit Committee

\*\*C, H & HC denotes Community, Health and Housing Committee

\*\*\*C P S C denotes Corporate Projects Scrutiny Committee

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

++ E & E C denotes Environment & Enforcement Committee

# P & L C denotes Planning and Licensing Committee

## P, P & R C denotes Policy, Projects & Resources Committee

~ S A C denotes Staff Appointments Committee (*Only meets on demand*)

## **Section 15 (5) principles**

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

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

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

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

**APPENDIX B COMBINED WITH APPENDIX C**

**NOMINATIONS TO SEAT ALLOCATIONS & APPOINTMENTS**

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

<b>Audit Committee (9)</b>	<b>Conservative (6)</b>	<b>Liberal Democrat (2)</b>	<b>Labour (0)</b>	<b>Non-Aligned (1)</b>
Chair*:	Cllr McCheyne	Cllr Chilvers		Cllr Keeble
Vice-Chair**:	Cllr Ms Rowlands	Cllr Mrs Fulcher		
	Cllr Hirst			
	Cllr Mrs Hones			
	Cllr Reed			
	Cllr Russell			
Approved Substitute:	Cllr Bridge	Cllr Mrs Squirrell		Cllr Mrs Hubbard
Approved Substitute:	Cllr Mrs Coe			
Approved Substitute:	Cllr Mrs Middlehurst			
Approved Substitute:	Cllr Mrs Slade			

<b>Community, Health &amp; Housing Committee (9)</b>	Conservative (6)	Liberal Democrat (2)	Labour (0)	Non-Aligned (1)
Chair*:	Cllr Hossack	Cllr Clarke	[REDACTED]	Cllr Mrs Hubbard
Vice-Chair**	Cllr Poppy	Cllr Mrs Davies	[REDACTED]	[REDACTED]
[REDACTED]	Cllr Cloke	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	Cllr Ms Rowlands	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	Cllr Ms Sanders	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	Cllr Wiles	[REDACTED]	[REDACTED]	[REDACTED]
Approved Substitute:	Cllr Barrell	Cllr Newberry	[REDACTED]	Cllr Keeble
Approved Substitute:	Cllr Faragher	[REDACTED]	[REDACTED]	[REDACTED]
Approved Substitute:	Cllr McCheyne	[REDACTED]	[REDACTED]	[REDACTED]
Approved Substitute:	Cllr Mrs Slade	[REDACTED]	[REDACTED]	[REDACTED]



<b>Corporate Projects Scrutiny Committee (9)</b>	Conservative (6)	Liberal Democrat (2)	Labour (1)	Non-Aligned (0)
Chair*:	Cllr Mrs Pound	Cllr Aspinell	Cllr Barrett	
Vice-Chair**:	Cllr Reed	Cllr Kendall		
	Cllr Mrs Coe			
	Cllr McCheyne			
	Cllr Trump			
	Cllr Tumbridge			
Approved Substitute:	Cllr Barrell	Cllr Clarke	Cllr Morrissey	
Approved Substitute:	Cllr Mrs Hones			
Approved Substitute:	Cllr Mrs Middlehurst			
Approved Substitute:	Cllr Ms Rowlands			

<b>Dismissal Appeals Committee (9)</b>	Conservative (6)	Liberal Democrat (2)	Labour (0)	Non-Aligned (1)
Chair:	Cllr Mrs McKinlay	Cllr Chilvers		Cllr Mrs Hubbard
Vice-Chair:	Cllr Kerslake	Cllr Mrs Squirrell		
	Cllr Hossack			
	Cllr McCheyne			
	Cllr Parker			
	Cllr Poppy			
Approved Substitute:	Cllr Bridge	Cllr Newberry		Cllr Keeble
Approved Substitute:	Cllr Faragher			
Approved Substitute:	Ms Sanders			
Approved Substitute:	Cllr Tumbridge			

<b>Environment &amp; Enforcement Committee (9)</b>	Conservative (6)	Liberal Democrat (3)	Labour (0)	Non-Aligned (0)
Chair*:	Cllr Parker	Cllr Clarke		
Vice-Chair**:	Cllr Bridge	Cllr Mrs Fulcher		
	Cllr Barrell	Cllr Kendall		
	Cllr Cloke			
	Cllr Mrs Middlehurst			
	Cllr Mrs Slade			
Approved Substitute:	Cllr Mrs Murphy	Cllr Mrs Davies		
Approved Substitute:	Cllr Poppy	Cllr Mynott		
Approved Substitute:	Cllr Tumbridge			
Approved Substitute:	Cllr Wiles			

<b>Planning &amp; Licensing Committee</b> (12)	Conservative (8)	Liberal Democrat (3)	Labour (1)	Non-Aligned (0)
Chair*:	Cllr Ms Sanders	Cllr Chilvers	Cllr Morrissey	
Vice-Chair**:	Cllr Faragher	Cllr Mynott		
	Cllr Bridge	Cllr Newberry		
	Cllr Mrs Middlehurst			
	Cllr Mrs Murphy			
	Cllr Wiles			
	Cllr Reed			
	Cllr Mrs Slade			
Approved Substitute:	Cllr Mrs Coe	Cllr Mrs Davies	Cllr Barrett	
Approved Substitute:	Cllr Mrs Pound	Cllr Mrs Fulcher		
Approved Substitute:	Cllr Russell			
Approved Substitute:	Cllr Trump			

<b>Policy, Projects &amp; Resources Committee (9)</b>	Conservative (5)	Liberal Democrat (2)	Labour (1)	Non-Aligned (1)
Chair*:	Cllr Mrs McKinlay	Cllr Kendall	Cllr Barrett	Cllr Keeble
Vice-Chair**:	Cllr Kerlake	Cllr Mynott		
	Cllr Faragher			
	Cllr Hossack			
	Cllr Parker			
Approved Substitute:	Cllr Hirst	Cllr Aspinell	Cllr Morrissey	Cllr Mrs Hubbard
Approved Substitute:	Cllr Poppy			
Approved Substitute:	Cllr Ms Rowlands			
Approved Substitute:				

<b>Staff Appointments Committee (9)</b>	Conservative (6)	Liberal Democrat (2)	Labour (1)	Non-Aligned (0)
Chair*:	Cllr Mrs McKinlay	Cllr Aspinell	Cllr Morrissey	
Vice-Chair**:	Cllr Kerslake	Cllr Mynott		
	Cllr Mrs Hones			
	Cllr Hossack			
	Cllr Parker			
	Cllr Poppy			
Approved Substitute:	Cllr Cloke	Cllr Clarke	Cllr Barrett	
Approved Substitute:	Cllr McCheyne			
Approved Substitute:	Cllr Mrs Pound			
Approved Substitute:	Cllr Ms Sanders			

# Notice of Meetings 2017/18

LOCAL GOVERNMENT ACT 1972 (AS AMENDED)



NOTICE IS HEREBY GIVEN that the following meetings, open to the Public and Press, will be held at the Town Hall, Brentwood, Essex or unless otherwise advised.

	Day	Time	May	June	July	August	September	October	November	December	January	February	March	April	May
Annual Council	Wednesday	19:00	17 <sup>th</sup>												16 <sup>th</sup>
Ordinary Council	Wednesday	19:00		21 <sup>st</sup> (Special) (cancelled)	19 <sup>th</sup>			18 <sup>th</sup>			24 <sup>th</sup>	28 <sup>th</sup>			
Audit Committee	Wednesday	19:00			5 <sup>th</sup>		27 <sup>th</sup>			13 <sup>th</sup>	17 <sup>th</sup>		14 <sup>th</sup>		
Corporate Projects Scrutiny Committee	Monday	19:00			3 <sup>rd</sup>		25 <sup>th</sup>			11 <sup>th</sup>			19 <sup>th</sup>		
Community, Health and Housing Committee	Monday	19:00		19 <sup>th</sup>			18 <sup>th</sup>			4 <sup>th</sup>			5 <sup>th</sup>		
Environment and Enforcement Committee	Wednesday	19:00		28 <sup>th</sup>			13 <sup>th</sup>			6 <sup>th</sup>			7 <sup>th</sup>		
Planning and Licensing Committee	Tuesday	19:00		13 <sup>th</sup>	25 <sup>th</sup>		12 <sup>th</sup>	10 <sup>th</sup>	14 <sup>th</sup>	12 <sup>th</sup>	23 <sup>rd</sup>	20 <sup>th</sup>	20 <sup>th</sup>	24 <sup>th</sup>	
Policy, Projects and Resources Committee	Tuesday	19:00		20 <sup>th</sup>	18 <sup>th</sup> (If required)		19 <sup>th</sup>		28 <sup>th</sup>		16 <sup>th</sup>	6 <sup>th</sup>	13 <sup>th</sup>		

Dated this 17<sup>th</sup> May 2017

P. Ruck  
HEAD OF PAID SERVICES

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



	2017					2018							
	May	June	July	August	September	October	November	December	January	February	March	April	May
1	Bank Holiday	School holidays		School holidays	School holidays				Bank Holiday			School holidays	
2		School holidays		School holidays		Conservative Party Conference						Bank Holiday	
3				School holidays		Conservative Party Conference						School holidays	
4				School holidays		Conservative Party Conference						School holidays	
5				School holidays		Conservative Party Conference						School holidays	
6				School holidays								School holidays	
7				School holidays								School holidays	Bank Holiday
8				School holidays								School holidays	
9				School holidays								School holidays	
10				School holidays								School holidays	
11				School holidays								School holidays	
12				School holidays						School holidays		School holidays	
13				School holidays						School holidays		School holidays	
14				School holidays						School holidays			
15				School holidays						School holidays			
16				School holidays	Liberal Democrats Party Conference					School holidays			
17				School holidays	Liberal Democrats Party Conference								
18				School holidays	Liberal Democrats Party Conference								
19				School holidays	Liberal Democrats Party Conference								
20				School holidays	Liberal Democrats Party Conference								
21				School holidays				School holidays					
22				School holidays				School holidays					
23				School holidays		School holidays		School holidays					
24			School holidays	School holidays	Labour Party Conference	School holidays		School holidays					
25			School holidays	School holidays	Labour Party Conference	School holidays		Bank Holiday					
26			School holidays	School holidays	Labour Party Conference	School holidays		Bank Holiday					
27			School holidays	School holidays	Labour Party Conference	School holidays		School holidays					
28			School holidays	Bank Holiday				School holidays					Bank Holiday
29	Bank Holiday		School holidays	School holidays				School holidays					School holidays
30	School holidays		School holidays	School holidays				School holidays			Bank Holiday		School holidays
31	School Holidays		School holidays	School holidays				School holidays					School holidays



## **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.

## **Ordinary Council Terms of Reference**

### **General Powers of Council**

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

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

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

Only the Council will exercise the following functions:-

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

This page is intentionally left blank