



Agenda

Ordinary Council

Wednesday, 17 January 2018 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,
Brentwood CM14 4JF

Membership (Quorum – 10)

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

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Declarations of Interest		
3.	Mayors Announcements		
4.	Minutes of the previous Ordinary and Extraordinary Council meetings		5 - 22
5.	Public Questions		23 - 24
6.	Memorials or Petitions		
7.	Committee Chairs Reports and Members Questions Report to follow.		

8. **Pay Policy**
Report to follow.
9. **Local Development Plan: Further Regulation 18 Consultation**
Report to follow.
10. **Notice of Motion**
No Notices of Motion had been received before the deadline for submission in accordance with the Council's Constitution.
11. **Urgent Business**
An item of business may only be considered where the Mayor 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
02.01.2018

Information for Members

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

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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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Access

There is wheelchair access to the meeting venue from the Main Entrance. There is an induction loop in the meeting room.

Evacuation Procedures

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



Minutes

Ordinary Council
Wednesday, 18th October, 2017

Attendance

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

Apologies

Cllr Mrs Pound	Cllr Tumbridge
Cllr Mrs Squirrel	

Officers Present

Philip Drane	-	Planning Policy Team Leader
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

139. Apologies for Absence

Apologies had been received from Cllrs Mrs Pound, Cllr Mrs Squirrell and Tumbridge.

140. Declarations of Interest

No declarations of interest were declared at this stage.

141. Mayors Announcements

The Mayor advised that he had recently undertaken the Guide Dog Challenge which had made him acutely aware of the difficulties faced by those with poor sight in negotiating footways and roads. He proposed that other Members should undertake the Guide Dog Challenge and to take notice of all the obstacles on the Borough's pavements.

Cllr Aspinell empathised with the problems encountered by those with poor sight, particularly those caused by A boards on the pavements.

142. Minutes of the previous meeting

The minutes of the Ordinary Council meeting held on 19th July 2017 were approved as a true record.

143. 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.

Six questions had been received from Brentwood residents, only one of which had been received before the agenda was published. Mrs Gearon-Simm had not attended the meeting and therefore her question was not put.

Mr Allum put the following questions to the Leader of the Council, Cllr Mrs McKinlay:

1. Are the two Priests Lane LDP sites being considered as one or individually by BBC?

Cllr Mrs Mckinlay responded: *The two sites are actually separate technically but the site is being considered as one in terms of planning and potential mitigations in relation to concerns that have been raised. In terms of LDP perspective, while they are technically separate we are looking at them as one site.*

2. In the event it's decided to proceed with the LDP for either of the two Priests Lane sites, then what will be the pedestrian and vehicular access routes to these developments?

Cllr Mrs McKinlay responded: *I live in Shenfield and use Priests Lane myself and am very familiar with the constraints referred to by Mr Allum and can understand the justification around some of the concerns but in terms of the process the LDP looks to identify land for development. Part of that process involves Brentwood Borough Council in talking to Essex County Council and other partners, the NHS and a number of other organisations that would obviously have an interest in terms of what the Council was doing. But in terms of the specifics to any one site that includes the access, the size of the houses and where they are going to go, that will be looked at as part of the planning application that needs to come forward. So there could be a piece of land that was in the LDP, an application then comes forward and if the issues can't be addressed satisfactorily then that planning permission could be denied. That's not to say they would not come back and address those problems.*

There is the difference between identifying the site for development and actually looking at the detail of that development. In specifically answering the question with regards to access that would very much depend on what we are looking at as an application to see what would go on the site. At this stage it's about looking at 'is access possible?' so the access onto Priests Lane and for any other options – if that could be satisfied at that high level then that would go forward as part of the Plan. So that the real detailed answer to some of these questions would need to come about as part of the planning application and not the LDP process.

Mrs Allum put the following questions to Cllr Mrs McKinlay:

3. If the access routes are not known, then how and when will they be decided?

Cllr Mrs McKinlay responded: *The same answer as the previous question – clearly looking at access it would be a part of the planning application that came forward but at this stage of the process we are also looking at the traffic flows and pedestrian opportunities but the detail of that will come forward as part of the planning application.*

4. In the event of the LDP proceeding for the two Priests Lane sites, then what are the plans for upgrading the access routes and infrastructure to cope with the increased demand?

Cllr Mrs McKinlay responded: *Again when we look at the detailed application then we will obviously have more information. What I can say at this stage is that I have previously met with some of the representatives in Priests Lane to discuss it and I have said that I'm happy to do that again so I make that offer once again tonight to the group I met previously – they could come in and see me and talk through some of the detail. A lot of it is about understanding the process and I fully take on board the concerns that are being raised and*

without getting into that debate tonight we all know it's a constrained site but it is about understanding the process in terms of the order of things and also some of the constraints that we as an authority take on board when we are delivering the Plan and hopefully that meeting would help explain some of that.

Mrs Skinner put the following question to Cllr Mrs McKinlay:

A significant length of time has passed since the publication of the LDP and the submission of responses, however there has been very little transparency about the process. There has not been an open forum for the public to discuss with the Council the issues raised in the responses and at the moment, the process does not feel like a consultation. Could the Council Members explain why there is so little interaction with the public in a matter of such importance to the Borough's residents and when they propose to hold a public discussion meeting?

Cllr Mrs McKinlay responded as follows: Members will be aware that previously a number of consultations have taken place on the LDP as part of the ongoing process about feedback and evidence gathering. I also held a public meeting in Shenfield some time ago to explain to people around how the process works and the constraints in which we are working. There is going to be an Extraordinary Council meeting in the middle of next month where the next round of the LDP consultation is being tabled and that is looking for approval to go out to Regulation 18 and what that means is the next round of consultation on the draft Plan. Following the feedback on that the final amendments and changes to the Plan before we go out to Regulation 19 which is the final sharing of the Plan ahead of the submission to the Government Inspector for consideration. In terms of the radio silence if you like over the last few months it has been a very difficult process because we have been looking at the numbers. Shortly before the summer there were some changes brought forward from government which impacted on our numbers and increased them and there is an item later tonight in terms of a government consultation going on at the moment around how the objectively assessed number is arrived at so that the consultation is requiring us to respond with our thoughts. There is some good, some bad in it but until we can draw that line in the sand and know exactly where we are as it's very difficult and I'll be talking more on this later on. It's very difficult for us to move forward. It is a long process and a frustrating process – it's a process which each time we've nearly got over the line so to speak the numbers have changed and we've had to go back and look again at the evidence that goes with that so it's testing. I understand that it's frustrating for all involved but we do have to make sure that we are following the letter of the law in the process if we are to have the confidence of submitting a sound plan. Because if we have that plan thrown out and we can look at it and see what needs to be tweaked that's one thing. If we submit in the knowledge we haven't actually followed the process properly it will be to the huge detriment to the Borough and all the efforts of everybody who has contributed. The next key date is the next Extraordinary Council meeting in November and after that will follow the next period of consultation.

144. Memorials or Petitions

No memorials or petitions had been received.

145. 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
- (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.

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

146. LDP Update - Response to Government Consultation

The Government had published a consultation that proposed reforms to the planning system by increasing housing supply and local authority capacity to manage growth. Proposals included:

- a) Standard method for calculating housing need;
- b) How neighbourhood planning groups can have greater certainty on the level of housing need to plan for;
- c) Statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries;
- d) Making use of viability assessments simpler, quicker and more transparent; and
- e) Increased planning application fees in areas where local planning authorities are delivering the homes their communities need.

The housing need data table published alongside the consultation document set out the housing need for each local authority using the Government's proposed method. This indicated that for Brentwood Borough the Objectively Assessment Housing Need was calculated as 454 dwellings per annum.

The consultation was to close on 9 November 2017. A proposed response on behalf of Brentwood Borough Council was provided in Appendix A to the report.

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

RESOLVED

To approve the response to the Government's consultation paper "Planning for the right homes in the right places", as set out in Appendix A.

Reasons for Recommendation

The proposed consultation response, set out at Appendix A, focuses on responding to questions (questions 1-6) contained within the section entitled "Proposed approach to calculating the local housing need" (pages 8-20). After several years of working through assessing local objectively assessed housing need, with the help of specialist consultant advisors, this is the section that the Council is most able to respond and contribute.

Due to timescales and resources, it is suggested for other proposals set out in the consultation document that the Council rely on the wealth of responses likely to be generated by professional bodies and partner organisations with a greater degree of expertise on these subjects.

147. Staff Pay

The report recommended the granting to all permanent employed staff of the Council a 1% bonus. Such bonus to be paid in the November 2017 pay run.

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

It was **RESOLVED UNANIMOUSLY:**

- 1. That Members agree the payment of 1% bonus to all permanently employed staff of the Council in the November 2017 pay run. The total of such increase to not exceed £90,000 and to be taken from reserves. This is a one off payment with no commitment for repetition in future years.**
- 2. That the Chief Executive will not receive the payment, but an amount, equivalent to the bonus forgone, shall be paid into a Council controlled fund. Such fund shall be used for the payment of staff benefits only.**

Reason for recommendations

One of the main reasons for the improved financial position in 2016/17 was the attitude and hard work undertaken by the employees of the Council. Whilst the Council still faces financial pressures we should, where possible, recognise and reward the efforts of employees who are delivering the transformational change the Council strived for and indeed is achieving.

148. Staff Appointment

Members were aware that delivery of services during the Council's transformation programme needed a robust structure. In view of this a Chief Operating Officer was to be appointed and as a result of this decision the Council's Section 151 officer had left the Council's employ.

The appointment of a replacement Section 151 officer would be considered by Full Council.

149. Notices of Motion

Four Notices of Motion had been received.

1. Cllr Kendall **MOVED** and Cllr Aspinell **SECONDED** the following Motion:

'The members of Brentwood Borough Council call upon Essex County Council Highways Depot to repair/replace the damaged railings at Wilson's Corner and at the William Hunter Way roundabout near Sainsbury's as soon as possible.'

Cllr Mrs McKinlay advised that Essex Highways had confirmed that a job was currently in the process of being programmed for the guardrails to be repaired but required information on any utilities in the area. Once the utilities information was received, the job would be programmed but no specific date for the repairs could be given at this time.

In light of this information Cllr Kendall withdrew his Motion.

The meeting was adjourned for a short comfort break.

2. Cllr Mrs McKinlay **MOVED** and Cllr Parker **SECONDED** the Motion as follows:

'This Council recognises the sharp drop in illegal incursions on Brentwood Council owned land over the last 12 months and acknowledges the success of the land protection measures, which include bollards and height restrictors, that have been installed by the Council.'

This Council further notes and welcomes the strong working relationship with Essex Police, Essex County Council and the Traveller Unit and pledges to continue to operate closely with these partner organisations.'

A report will be brought to the Environment and Enforcement Committee to review the need for any further protection and security improvement works on publicly owned open spaces, that would benefit the Borough of Brentwood. Resulting recommendations will be included as part of the budget setting process for 2018/19.'

Following a debate a vote was taken on a show of hands and the **MOTION** was **CARRIED**.

3. Cllr Aspinell **MOVED** and Cllr Newberry **SECONDED** the following Motion:

'This Council resolves to oversee the installation of a sprinkler system to be installed in the Town Hall building during alterations to the offices and during the conversion of the upper floors to 19 apartments.'

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** an **AMENDMENT** as follows:

'This Council resolves to ~~oversee~~ investigate as part of an overall review of safety measures the installation of a sprinkler system to be installed in the Town Hall building during alterations to the offices and during the conversion of the upper floors to 19 apartments.'

Cllr Aspinell **ACCEPTED** the **AMENDMENT** and following a discussion a vote on a show of hands was taken on the **SUBSTANTIVE MOTION** and it was **CARRIED UNANIMOUSLY**.

4. Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the following Motion:

'That this Council investigates the opportunity that the use of modular construction homes, in conjunction with the utilisation of our multiple garage site assets, could present in addressing the need to meet our housing supply needs quickly and efficiently whilst at the same time addressing the need for affordability.'

That the council also considers as part of this project, the opportunity for social return by of having a local assembly plant within the Borough that would provide the opportunity for employment, skills and apprenticeships and the support of local supply businesses whilst at the same time, meeting the housing need at source.'

Following a debate a vote was taken on a show of hands and the **MOTION** was **CARRIED UNANIMOUSLY**.

(Cllr Hossack declared a personal interest by virtue of having a family member who might wish to purchase a house in Brentwood in the future).

150. Urgent Business - (DCLG) Pilot Programme for 100% Business Rates Retention - 2018/19

The Mayor had agreed to accept this item as urgent business since there was a tight timescale and a proposal needed to be submitted by 27 October 2017.

The Council currently participated in an Essex wide pool for Business Rate Retention (BRR). The Department for Communities and Local Government

(DCLG) had invited Local Authorities in England to pilot 100% Business Rate Retention in 2018/19.

Essex County Council had expressed an interest to submit a bid proposal to DCLG to take part in the pilot program whilst engaging with all Essex Local authorities.

Financial Review was still ongoing for the bid proposal. Due to the tight timescale set upon by DCLG to submit a bid by 27th October 2017, and to allow for the appropriate governance arrangements, delegated authority was therefore required to make sure the bid if upheld was successful.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **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. That Members note the content of the report and its potential implications for the forthcoming budget setting for 2018/19.

2. That delegated authority be granted to the Chief Executive, in consultation with the Chair of Policy, Projects & Resources Committee, to give notice formally of the Council's intention to accept or decline to opt into the 100% Business Rate Retention (BRR) Pilot Programme with the other constituent Essex local authorities.

(Cllr Hirst declared a personal interest under the Council's Code of Conduct by virtue of his role as Police and Crime Commissioner).

Reason for Recommendations

To enable an informed decision by delegated authority, subsequent to the outcomes of an independent financial review and formulation of agreed terms, to be made in determining whether Brentwood Council should participate with Essex billing precepting authorities in the DCLG's Pilot Programme for 100% Business Rates Retention (BRR) in 2018/19.

The meeting ended at 10.00pm

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Minutes

Extraordinary Council Wednesday, 15th November, 2017

Attendance

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

Apologies

Cllr Barrell	Cllr Morrissey
Cllr Mrs Middlehurst	Cllr Mrs Squirrell

Officers Present

Philip Ruck	-	Chief Executive
Philip Drane	-	Planning Policy Team Leader
Jean Sharp	-	Governance and Member Support Officer
Steve Summers	-	Chief Operating Officer
Lorne Spicer	-	Business Development and PR Manager
Daniel Toohey	-	Monitoring Officer
Jacqueline Mellaerts	Van -	Financial Services Manager

159. Apologies for Absence

Apologies were received from Cllrs Barrell, Mrs Middlehurst, Morrissey and Mrs Squirrel.

160. Declarations of Interest from Members and Officers

No declarations of interest were made at this point.

161. Town Centre

The Leader of the Council, Cllr Mrs McKinlay delivered a presentation to update Members on the Brentwood Town Centre Project and responded to Members' questions.

Cllr Russell **MOVED** and Cllr Mrs Murphy **SECONDED** that the presentation be noted and it was **RESOLVED** accordingly.

162. Local Development Plan (LDP) Update

The Council was required to produce a new Local Plan for the Borough. A significant amount of work had gone into preparing this plan to date, and more would be required as the Council reached the final stages. As part of this process there was a need to undertake further Regulation 18 preparation and consultation. This process was summarised in Appendix A to the report.

As part of this a range of evidence was being undertaken and updated where relevant. Recently completed evidence studies relating to market housing and specialist need, Green Belt, and economy were attached in Appendices B-G.

Working with adjoining authorities who were also preparing for growth and considering the wider area to which the Borough contributed required strategic leadership and representation.

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

Cllr Aspinell **MOVED** an **AMENDMENT** to the **MOTION** but it was declared illegal as it would negate the **MOTION**. Members were directed by officers advising the Mayor that the same effect would be achieved by voting against the **MOTION**, and that debate on the **MOTION** should therefore proceed forthwith.

A full discussion took place where concerns were voiced regarding the impact of the listed sites for possible development in the Borough particularly in relation to highways issues, education and health.

In summing up Cllr Mrs McKinlay reiterated that Members and public concerns were valid but any objections to sites put forward in the proposed Local Development Plan needed to be evidence based for the Plan to be accepted by the Secretary of State. Lack of evidence would result in the Plan

being rejected and central government dictating where development would take place in the Borough.

A recorded vote was requested in accordance with Rule 9.5 of the Council's Procedure Rules.

Members voted as follows:

FOR: Cllrs Bridge, Cloke, Hirst, Mrs Hones, Hossack, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Ms Rowlands, Russell, Ms Sanders, Mrs Slade, Trump, Tumbridge and Wiles (20)

AGAINST: Cllrs Aspinell, Barrett, Chilvers, Clarke, Mrs Davies, Mrs Fulcher, Keeble, Kendall, Mynott and Newberry (10)

ABSTAIN: Cllr Mrs Hubbard (1)

The **MOTION** was **CARRIED** and it was

RESOLVED to

- 1. Approve preparation of work set out in Appendix A of the report to commence further Regulation 18 Local Plan consultation.**
- 2. Note the update provided on evidence base as set out in Appendices B, C, D, E, F and G of the report for the LDP Scrutiny Working Group to scrutinise content.**
- 3. Approve the formal designation of the Deputy Leader of the Council as Chair of the LDP Member Working Group, to assist the Leader of the Council to carry out tasks relating to strategic leadership and Duty to Cooperate representation.**

(During the debate Cllr Kendall declared a non-pecuniary interest under the Council's Code of Conduct by virtue of being an Essex County Councillor).

Reasons for recommendations:

It was necessary to undertake further public consultation as part of the plan-making process to thoroughly consider the views of stakeholders and members of the public. Consultation and consideration of comments would enable the Council to move forward and submit the Plan for examination in public by an independent planning inspector.

The next stage was to undertake further Regulation 18 consultation with the public in January 2018. Appendix A set out current progress and issues being assessed ahead of that consultation, which included further work with partners such as Essex County Council on highway modelling; and Duty to Cooperate discussion with neighbouring districts such as partners in South Essex and wider plans for growth in the region, among other things. Recommendation 2.1 set out the need for approval of the process to progress towards this Regulation 18 consultation in January 2018. Recommendation 2.3 set out the need for a strategic lead to represent the Council in discussions with partners through the Duty to Cooperate.

It was important that the plan was informed by robust and up-to-date evidence. This evidence base needed to be wide ranging to consider all the intricacies of the plan-making process. A summarised update was provided on the evidence base in Appendix A and recently completed studies were set out in Appendix B-G. The approved scope of the LDP Scrutiny Member Working Group was to consider the appropriateness and proportionality of the evidence base. Recommendation 2.2 set out the need to scrutinise recently completed and drafted evidence which would take place at future scrutiny working group meetings ahead of reporting to Scrutiny Committee.

163. Section 151 Officer

It had been intended for the Chief Executive to make an announcement regarding the Section 151 Officer, but relevant information was not available.

However, Mr Ruck was pleased to announce that the Staff Appointments Committee had unanimously approved the appointment of Steve Summers as the Council's Chief Operating Officer.

164. Urgent Business

There were no items of urgent business.

Minutes

Extraordinary Council Wednesday, 13th December, 2017

Attendance

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

Apologies

Cllr Mrs Davies	Cllr Poppy
Cllr Hossack	Cllr Tumbridge
Cllr Ms Sanders	Mrs Mrs Middlehurst

Substitute Present

Also Present

Officers Present

Safira Ali	-	Communications Officer
Surinder Atkar	-	Planning Solicitor
Philip Drane	-	Planning Policy Team Leader
Philip Ruck	-	Chief Executive
Jean Sharp	-	Governance and Member Support Officer
Lorne Spicer	-	Business Development and PR Manager
Steve Summers	-	Chief Operating Officer
Daniel Toohey	-	Monitoring Officer

219. Apologies for Absence

Apologies were received from Cllrs Mrs Davies, Hossack, Poppy, Mrs Middlehurst, Ms Sanders and Tumbridge.

220. Declaration of Interest from Members and Officers

No declarations of interest were made at this stage.

221. Local Development Plan (LDP) Update

Cllr Mrs McKinlay presented an update on the Local Development Plan and the Mayor invited the leaders of the opposition groups, Cllrs Aspinell and Barrett, to respond.

Cllr Russell **MOVED** and Cllr Mrs Murphy **SECONDED** and it was

RESOLVED UNANIMOUSLY

that the presentation be noted.

222. Local Development Plan (LDP) - Resources

In accordance with the Council's Constitution Part 4.1, Clause 1.3, Cllrs Aspinell, Chilvers, Clarke, Mrs Davies, Mrs Fulcher and Kendall requested the Council hold an Extraordinary Council Meeting to consider the following Motion:

This Council resolves to allocate to the Council's Local Development Plan officers any and all required additional resources to the team to enable them to complete the consultation and evidence gathering exercises necessary in order to recommend to Council a Local Development Plan for submission to the Government by the revised timetable the DCLG have demanded.

Members had received a briefing note giving details of the current status of the Local Development Plan report.

Cllr Aspinell **MOVED** and Cllr Mynott **SECONDED** the proposed Motion.

Following a lengthy discussion Cllr Faragher **MOVED** and Cllr Parker **SECONDED** that in accordance with Rule 8.1. of the Council's Procedure Rules **'that the question be now put'**.

A vote was taken on a show of hands and it was **RESOLVED** accordingly.

Returning to the substantive motion, in accordance with Rule 9.5 of the Council's Procedure Rules, a recorded vote was requested and Members voted as follows:

FOR: Cllrs Aspinell, Chilvers, Clarke, Mrs Hubbard, Keeble, Kendall, Mynott and Newberry (8)

AGAINST: Cllrs Barrell, Bridge, Cloke, Mrs Coe, Faragher, Hirst, Mrs Hones, Kerslake, McCheyne, Mrs McKinlay, Mrs Murphy, Parker, Mrs Pound, Reed, Mrs Rowlands, Mrs Slade, Trump and Wiles (18)

ABSTAIN: Cllrs Barrett, Morrissey and Russell (3)

Cllr Mrs Fulcher arrived after the debate had begun and therefore did not vote.

The **MOTION** was **LOST**.

223. Urgent Business

There were no items of urgent business.

The meeting ended at 8.30pm

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17 January 2018

Ordinary Council

Public Questions

Report of: Philip Ruck – Chief Executive

Wards Affected: All Wards

This report is: Public

1. Executive Summary

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

'Newham Council in east London, who, in 2013, introduced a compulsory borough-wide licensing scheme for landlords, has shared their names and addresses with HM Revenue and customs.'

Newham Council has estimated that unpaid tax by landlords is costing the public purse nearly £200m in London and far more nationally.

What happened to the 'Essex Landlords Accreditation Scheme' introduced into Brentwood a few years ago?'

Report Author Contact Details:

Name: Jean Sharp

Telephone: 01277 312655

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

Members Interests

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

- **What are pecuniary interests?**

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

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

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

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

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

- participate in any discussion of the business at the meeting, 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;

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