



Agenda

Policy, Projects and Resources Committee

Tuesday, 19 September 2017 at 7.00 pm

Membership (Quorum – 3)

Cllrs Mrs McKinlay (Chair), Kerlake (Vice-Chair), Barrett, Faragher, Hossack, Keeble, Kendall, Mynott and Parker

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 8
3.	Parking Strategy Update		
4.	Less Than Best Consideration Policy Amendment		
5.	Warley Scout Lease - Amendment to Heads of Terms Approved at Committee in February 2016	Warley	
6.	Seymour Pavilion and Playing Fields	Ingatestone, Fryerning and Mounthesing	
7.	Corporate Projects		

8. **Budget Monitoring**

9. **Brentwood Asset Development Programme (Part 2)**

10. **Urgent Business**

11 - 14

A handwritten signature in black ink, appearing to read 'P. K. P.' followed by a stylized flourish.

Chief Executive

Town Hall
Brentwood, Essex
11.09.2017

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.

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.

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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

Policy, Projects and Resources Committee Tuesday, 18th July, 2017

Attendance

Cllr Mrs McKinlay (Chair)	Cllr Keeble
Cllr Kerlake (Vice-Chair)	Cllr Kendall
Cllr Barrett	Cllr Mynott
Cllr Faragher	Cllr Parker
Cllr Hossack	

Also Present

Cllr Mrs Hubbard
Cllr Mrs Pound
Cllr Ms Rowlands

Officers Present

Philip Ruck	-	Chief Executive
John Chance	-	Finance Director (Section 151 Officer)
Steve Summers	-	Group Manager In House Services
Daniel Toohey	-	Monitoring Officer
Gary Cordes	-	Information & Corporate Governance Lawyer
Zoey Foakes	-	Governance & Member Support Officer
Alan McBean	-	Deputy Parking Services Manager
Lorne Spicer	-	Business Development and PR Manager

69. Apologies for Absence

No apologies for absence were received.

70. Minutes of the Previous Meeting

The minutes of the Policy, Projects and Resources Committee meeting held on 20 June 2017 were approved as a true record.

71. Parking

The purpose of the report was to advise members of planned changes to parking fees and the parking order.

Cllr Mrs McKinlay explained to the committee that a strategic report would be brought back to committee in September and that discussions should be based on the recommendation in the report at the proposed parking tariffs.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations within the report and following a discussion a recorded vote was taken in accordance with Procedure Rule 9.6 of the Council's Constitution.

Members voted as followed:

FOR: Cllrs Mrs McKinlay, Kerslake, Faragher, Hossack and Parker (5)

AGAINST: Cllrs Barrett, Keeble, Kendall and Mynott (4)

ABSTAIN: 0

RESOLVED that

- 1. The proposed changes to the parking tariffs and the parking order updates be agreed to go forward and be subject to public consultation.**

Reason for Recommendation

The council's strategic agenda to develop income generation options is key to the need to implement the recommendation, plus, there are logical alterations to the parking order which will help residents and shop keepers alike, whilst encouraging commuters to select a more appropriate parking option.

Appendix A to the report identified that £138,000 of additional income (in a full year) which the proposed tariff increases would yield in Brentwood Town Centre car parks, assuming the demand for parking remained the same for the time being. This excluded any income from the re-introduction of charging in Shenfield and other initiatives that were being looked into, including those mentioned in 4.4 of the report. It was estimated, based on historic figures, that the yield from the re-introduction of parking charges in Shenfield, post Crossrail, would yield the council approximately £300K (full year).

The cost of the changes to the tariffs would be minimal, as an example the maintenance agreement with the organisation that managed the car park machines, allowed for one tariff change per year. There would be a small impact on resources in relation to the issue of resident permits but this should be contained within existing budgets.

If a resident who was in possession of a valid car park certificate, accidentally paid a higher amount, the Council would not reimburse such an amount. The Council would not accept the responsibility nor would it compensate users for such errors.

72. Data Protection Act 1998 - New Policies

All staff and Members of local authorities are obliged to comply with the Data Protection Act 1998 (the Act) which required individuals personal data we hold to be processed securely. Breaches of the Act can result in serious financial and reputational harm to both the Council and to those whose information we hold. The Information Commissioner had the power to issue penalties up to £0.5m in such cases. To effectively manage these risks, the Council had engaged a locum information governance lawyer to review the Council's compliance with the Act. A key aspect of the ongoing work was to be ensure relevant policies exist and that these were current and effective in helping to manage business risk. These policies were presented for Members' consideration and approval.

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

RESOLVED UNANIMOUSLY that

- 1. The proposed six policies appended to the report be approved by Members.**
- 2. Delegated authority be granted to the Senior Information Risk Officer (currently the s151 Officer) acting in consultation with senior officers, the Chair of the Policy, Projects and Resources Committee and Monitoring Officer to make any minor adjustments or in respect of any changes in law as necessary.**

Reason for recommendations

To assist in achieving effective compliance with the requirements of the Data Protection Act, so enabling the Council to keep related business risk to a minimum.

73. Asset Review Update

The purpose of the report was to update the Committee on the current status of the Asset Register. Much work had been undertaken since the last report in January 2017. There was an asset list which covered all known deeds the council owned. The asset list covered non housing assets. The database would form the basis of a more detailed asset review which allowed the Council to prepare more detailed business cases related to potential usage, which would incorporate income generation.

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

RESOLVED UNANIMOUSLY that

- 1. Members agreed to upgrade the Argus Management System and the Geographic Information System in line with the up to date asset list, and commence work on the remaining statutory declaration land assets.**

Reason for recommendation

To ensure that the full extent of general fund assets are recorded, reported and understood in order to maximise their use.

To ensure the Council's use of assets reflects the needs of the borough and the Council and to contribute towards the establishment of an income generation plan utilising the Councils assets.

74. Urgent Business

There were no matters of urgent business to discuss.

The meeting concluded at 19:50.

Members Interests

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

- **What are pecuniary interests?**

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

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

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

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

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

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

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

- **Other Pecuniary Interests**

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

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

- **Non-Pecuniary Interests**

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

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

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

Policy

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 surplus to the requirements of a 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 countryside 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 countryside 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 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.

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.