



Minutes

Annual Council

Wednesday, 15th May, 2019 – 7.30pm

Attendance

Mrs Sheila Murphy (Mayor)	Cllr Kendall
Cllr Parker (Deputy Mayor)	Cllr Kerlake
Cllr Aspinell	Cllr Laplain
Cllr G Barrett	Cllr Lewis
Cllr Dr T Barrett	Cllr McCheyne
Cllr Bridge	Cllr McLaren
Cllr Chilvers	Cllr Mrs McKinlay
Cllr Clarke	Cllr Morrissey
Cllr J Cloke	Cllr Mynott
Cllr S Cloke	Cllr Naylor
Cllr Mrs Davies	Cllr Nolan
Cllr Fryd	Cllr Mrs Pearson
Cllr Mrs Fulcher	Cllr Poppy
Cllr Haigh	Cllr Mrs Pound
Cllr Hirst	Cllr Reed
Cllr Mrs Hones	Cllr Miss Sanders
Cllr Hossack	Cllr Tanner
Cllr Jakobsson	Cllr Mrs Tierney
Cllr Keeble	Cllr Tumbridge

Apologies

Alex Burghart MP
John Wyndham – Freeman
David Minns - Alderman

Officers Present

Kim Anderson	-	Partnership, Leisure and Funding Manager
Phoebe Barnes	-	Interim Financial Controller
Zoe Borman	-	Governance and Member Support Officer
Steven Butcher	-	Projects & Programme Manager
Greg Campbell	-	Director of Operations
Philip Drane	-	Director of Strategic Planning
Zoey Foakes	-	Governance & Member Support Officer
Paula Harvey	-	Corporate Governance Solicitor, Legal Services
Chris Leslie	-	Executive Director of Commercial Services
Tracey Lilley	-	Enforcement Manager
Claire Mayhew	-	Corporate and Democratic Services Manager

Jonathan Quilter	-	Strategic Planning Manager
Philip Ruck	-	Chief Executive
Jean Sharp	-	Governance and Member Support Officer
Lorne Spicer	-	Business Development and PR Manager
Steve Summers	-	Chief Operating Officer
Jacqueline Van Mellaerts	-	Chief Financial Officer

1. Apologies for Absence

Apologies were received from Alex Burghart MP, Freeman John Wyndham and Alderman David Minns.

2. Mayor's Announcements and Presentations

The Mayor congratulated and welcomed the eight newly elected Councillors, Cllrs Dr Tim Barrett, Sarah Cloke, Andy Fryd, Peter Jakobsson, Jay Laplain, Mark Lewis, Maria Pearson and Sandy Tanner. She congratulated Cllrs Mrs Davies, Mrs Hones, Hossack and Poppy on their re-election and recounted the final events of her Mayoral Year.

Mrs Murphy presented cheques to her chosen charities – West Horndon Village Hall, Brentwood and District Scouts and Wendy's Kitchen – and was delighted to announce that £8,500 had been raised for these very worthwhile causes.

3. Variation in the Order of the Agenda

The Mayor had been requested to allow a variation in the order of the agenda and Cllr Mrs McKinlay **MOVED** and Cllr Mrs Pound **SECONDED** that Item 8 - Designate a Leader and Deputy Leader of the Council – be considered next.

A vote was taken on a show of hands and it was

RESOLVED UNANIMOUSLY accordingly.

4. Designate a Leader and Deputy Leader of the Council

The Constitution under Council Procedure Rule 2.1 (i) provided that the Annual Meeting of Council would consider the election from its Members a Leader and Deputy Leader of the Council.

The Mayor invited nominations for the election of Leader and Deputy Leader for the Municipal Year 2019/20.

Cllr Miss Sanders **MOVED** and Cllr Poppy **SECONDED** that Cllr Hossack be designated as Leader of the Council and it was

RESOLVED UNANIMOUSLY that

Cllr Hossack be designated Leader of the Council.

Cllr Hossack **MOVED** and Cllr Tumbridge **SECONDED** that Cllr Mrs Hones be designated as Deputy Leader of the Council and it was

RESOLVED UNANIMOUSLY that

Cllr Mrs Hones be designated Deputy Leader of the Council.

Reason for Recommendation

To comply with Article 4 of the Constitution.

5. Designate a Mayor for the ensuing municipal year

The Council was required to elect a Mayor from amongst its membership to serve for the Municipal Year 2019/20 and until their successor was entitled to act in that office in accordance with the procedure as set out in Appendix B of the Constitution.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** that Cllr Keith Parker should be designated Mayor and it was

RESOLVED UNANIMOUSLY that

Cllr Keith Parker be installed as Mayor for the Municipal Year 2019/20.

Reason for Recommendation

It is a statutory duty.

6. Designate a Deputy Mayor for the ensuing municipal year

The Council was required to appoint a Deputy Mayor from amongst its membership to serve for the Municipal Year 2019/20.

The Deputy Mayor was appointed by the Council to continue in office for one Municipal Year and hold office until immediately after the election of the Mayor at the next Annual Meeting.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** that Cllr Olivia Sanders be appointed Deputy Mayor and it was

RESOLVED UNANIMOUSLY that

Cllr Olivia Sanders be appointed as Deputy Mayor for the Municipal Year 2019/20.

Reason for Recommendation

It is a statutory duty.

7. Receive any declaration of interest from Members and Officers

There were no declarations of interest from Members or Officers..

8. Brentwood Borough Council Elections

The results of the elections were included within the agenda pack.

9. Political Groups on the Council

The Constitution provided that the Chief Executive Officer would report receipt of Notices served on him by Members under the provisions of the Local Government (Committees and Political Groups) Regulations 1990 to the Annual Meeting of the Council.

The CEO, Mr Ruck, advised that he had received Notices from the Conservative, Liberal Democrat and Labour Groups indicating that they wished to be treated as political groups on the Council and listing membership of their Group.

Cllr Parker **MOVED** and Cllr Miss Sanders **SECONDED** the recommendation in the report

and it was **RESOLVED UNANIMOUSLY** that

Annual Council notes the Notices of Political Groups served on the Chief Executive.

Reason for Recommendation

To comply with The Local Government (Committees and Political Groups) Regulations 1990 as amended.

10. Leader's Statement

During his statement Cllr Hossack highlighted his intention to concentrate on core priorities including finalising the Local Development Plan, updating the borough's leisure facilities and progressing the joint venture with a private company to develop William Hunter Way and the Town Centre.

Leaders of the opposition groups, Cllrs Aspinell and Barrett, and independent Member Cllr Keeble responded to the Leader's statement.

11. Committees and their Terms of Reference

The Council operated a committee system form of governance and there were a number of statutory provisions relating to committees.

The Constitution provided that the Annual Meeting of Council considered the establishment of committees, their size and terms of reference. Certain matters were laid down by law and the Council had no discretion in its considerations.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report 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 2019/20.
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.
4. That the Council's Monitoring Officer be authorised to make the necessary changes to the Constitution.

For clarity, Appendix A is appended to these minutes.

Reasons for Recommendation

The Council operates a committee system form of governance and is required by law to establish certain committees and has discretion to appoint other committees to facilitate the effective conduct of business under that committee system.

12. Political Balance, Allocation of Committee Seats and Committee Appointments

The Council was required to:

- a) Approve the allocation of seats on Committees;
- b) Receive the nominations from political groups to Committees and make appointments to committees as shown in the nomination sheets and
- c) Appoint Chairs and Vice-Chairs of Committees.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report.

Cllr Aspinell **MOVED** and Cllr Mynott **SECONDED** an **AMENDMENT**, ie that Cllr Mrs Fulcher replace Cllr Mrs Davies as a nominated substitute on Planning and Licensing Committee.

Cllrs Hossack and Mrs Hones **ACCEPTED** the **AMENDMENT**.

Returning to the **SUBSTANTIVE MOTION**, a vote was taken on a show of hands 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 subject to Cllr Mrs Fulcher replacing Cllr Mrs Davies as a nominated substitute on Planning and Licensing Committee.**
3. **That the Chairs and Vice-Chairs of Committees as set out in Appendix B be appointed.**

For clarity, Appendix B is appended to these minutes.

Reasons for Recommendation

The Council is required to make appointments to those Committees that have been established by Agenda Item 10 for the effective discharge of its functions.

13. Committee Calendar for 2019-2020

The Constitution provided that the Annual Meeting of Council would consider an item of business to agree the date, time and place of Ordinary meetings of Council and its Committees for the coming Municipal Year.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** the recommendation in the report.

Cllr Aspinell **MOVED** and Cllr Mynott **SECONDED** an **AMENDMENT** ie that the Ordinary Council meeting proposed for 9th October 2019 and the Audit and Scrutiny Committee meeting proposed for 8th October 2019 be switched.

Cllrs Hossack and Mrs Hones **ACCEPTED** the **AMENDMENT**.

Returning to the **SUBSTANTIVE MOTION**, a vote was taken on a show of hands and it was

RESOLVED UNANIMOUSLY

That the Calendar of Meetings attached as Appendix A for 2019/20 be approved subject to meetings scheduled for 8.10.19 and 9.10.19 being switched.

For clarity the Calendar of meetings is appended to these minutes.

Reason for Recommendation

The Calendar of Meetings enables effective and efficient decision making throughout the Municipal Year.

14. Members Remuneration Report 2019-2020

The Council operated a Members' Allowances Scheme which was reviewed annually by the Independent Remuneration Panel (IRP). The Members' Allowance Scheme was Chapter 6 of the Council's Constitution. The IRP had reviewed the current scheme and had made recommendations for the 2019/20 Municipal Year and their review was attached in Appendix A to the report before Members.

Following the IRP meeting held on 7th November, the IRP report had recommended to increase the Member Allowances by 1% which was also in line with Employees and had been included within the Council's MTFP 2019/20. The Mayor allowance was also considered and proposed to increase in line with the Mayor's Expenditure.

The IRP reviewed Parental Leave and Carer Allowance proposals to be included within the Members Allowance Scheme following a cross party meeting with group leaders.

The newly elected Leader of the Conservative Party asked for the IRP to be consulted to also increase the Deputy Mayor Allowance which was reviewed and proposed increase agreed.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report and following a debate a vote was taken on a show of hands and it was

RESOLVED that

- 1. That the report of the Independent Remuneration Panel at Appendix A be noted.**
- 2. Following the IRP recommendation, the Members Allowances 2019/20 attached in Appendix B is approved.**

3. **That the Mayor and Deputy Mayor allowances 2019/20 attached in Appendix B are approved.**
4. **Following the IRP recommendation, the Member Parental Leave Policy included in the IRP report (Appendix 1) is approved.**
5. **Following the IRP recommendation, the Members' Allowances Scheme including Carers Allowance conditions as set out in the IRP report (Appendix 2) is approved.**
6. **Delegated authority is given to the Monitoring Officer to amend the constitution with the above amendments.**

For clarity Appendix B is appended herewith.

15. Urgent Business

There were no items of urgent business.

The following Committees are established under all Council powers:-

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

The committee shall consider all matters of policy and strategic importance to the Council including matters referred to it by other Committees and/or Chief Officers.

The function within the remit of the Policy, Resources and Economic Development Committee include all financial matters relating to the budget, (and for 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

Generally to review and oversee the co-ordination and governance of all functions of the Council. 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) Human resources
 - 8) Information Communication Technology
 - 9) Revenues and Benefits
 - 10) Customer Services
 - 11) 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 write off of any outstanding debt owed to the Council above the delegated limit of £5,000.
8. To determine capital grant applications.
9. To make recommendations on the allocation and use of resources to achieve the council's priorities.
10. To manage and monitor the Council approved budgets and allocation of resources.
11. To provide the lead on partnership working including the joint delivery of services.
12. To consider any staffing matters that are not delegated to Officers, such as proposals that are not contained within existing budgetary provision.
13. 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 council function.
 - (j) Appropriation of land surplus for the requirements of another Council function.
 - (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 receive updates reports on the Asset Development Programme and the work of the Asset Development Programme and Project Board.
 - (n) 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.
 - (o) To agree and monitor the governance arrangements for any commercial and/or partnership arrangement with the Council.
 - (p) Promoting a culture of entrepreneurialism and building the required skills and capacity.
 - (q) To consider and approve business cases and commercial business plans for commercial activity.
14. 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) Any matters relating to Crossrail.
15. To consider a report from the Monitoring Officer at the beginning of the Municipal Year, for the Committee to appoint the membership of the Constitution Working Group, in order for the Monitoring Officer to consult with such Members on the regular review of the Constitution documentation in accordance with Article 12 of the Constitution during the year.
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 those Corporate Projects that have been agreed by the committee to be major.

Scrutiny

- (a) To advise the Audit & Scrutiny Committee of any matters that require scrutiny in accordance with the Audit and Scrutiny Procedure Rules.
- (b) To receive requests and determine on matters that require scrutiny from the Audit and Scrutiny Committee in accordance with the Audit and Scrutiny Procedure Rules.
- (c) To receive requests and determine on matters that require scrutiny from any Committee in accordance with the Audit and Scrutiny Procedure Rules.

17. To consider any requests for sponsorship and use of the Council's Coats of Arms and logos.

2.2 Environment, Enforcement and Housing Committee

The functions within the remit of the Environment, Enforcement and Housing Committee 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) Affordable housing
- 9) Housing strategy and investment programme where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee
- 10) The Housing Revenue Account Business Plan where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee
- 11) Housing standards, homelessness, homelessness prevention and advice
- 12) Housing needs assessment
- 13) Housing benefit - welfare aspects
- 14) Private sector housing and administration of housing grants
- 15) Tenancy Management and landlord functions

- 16) To make recommendations to Policy, Resources and Economic Development Committee on the setting of rents for Council homes.
- 17) Operational facilities management (including maintenance) of the Town Hall and the Depot
- 18) Oversee and monitor the enforcement activities of the Council
- 19) Community Safety (including Community Safety Partnership) and CCTV
- 20) To implement working parties as required

2.3 Community and Health Committee

The functions within the remit of the Community and Health 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) Environmental Health
- 9) Environmental nuisance and pollution controls
- 10) Other miscellaneous powers enforced by Environmental Health
- 11) Food safety and health and safety
2. To take the lead on community leadership and consultation with stakeholders.
3. To implement working parties as required.

2.4 Audit and Scrutiny Committee

The Audit and Scrutiny 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.

It also 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.

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 review any issue referred to it by a Statutory Officer of the Council or any Council body.
- 2) To monitor the effective development and operation of risk management and corporate governance in the Council.
- 3) To monitor Council policies and strategies on an Annual basis
 - a. Whistleblowing
 - b. Money Laundering
 - c. Anti-Fraud and Corruption
 - d. Insurance and Risk Management
 - e. Emergency Planning
 - f. Business Continuity

- 4) To monitor the corporate complaints process.
- 5) To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- 6) To consider the Council's compliance with its own and other published standards and controls.
- 7) To monitor the Council processes in relation to
 - a. Freedom of Information
 - b. Member Enquires
- 8) To monitor the Council's Data Quality arrangements.
- 9) To monitor the Council's Member's Training arrangements.

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.

Scrutiny Activity

- 1) Responsible to scrutinise any matters as identified and agreed by the Policy, Resources and Economic Development Committee as set out in the Audit and Scrutiny Procedure rules.
- 2) To identify and recommend any matters that need to be scrutinised to the Policy, Resources and Economic Development Committee for approval as set out in the Audit and Scrutiny rules.
- 3) To report to the Policy, Resources and Economic Development Committee or the appropriate committee on the progress of any matters that have been requested and to make relevant recommendations as required.
- 4) To establish working groups as appropriate (in line with agreed protocols) to undertake the scrutiny of any matters requested by the Policy, Resources and Economic Development Committee, including setting their terms of reference, the reporting arrangements, and to co-ordinate and review the work of the working groups.

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

2.5 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.

2.6 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.

2.7 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.

2.8 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.

2.9 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**

Committee	Membership	Quorum
Policy, Projects and Resources	9	3
Environment and Enforcement	9	3
Community, Health and Housing	9	3
Planning and Licensing	12	4
Audit and Scrutiny	9	3
Regulatory and Governance	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.

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).

Audit & Scrutiny Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)	Non-Aligned (0)
Chair*:	Cllr C Nolan			
Vice-Chair**:	Cllr S Tanner			
	Cllr K Parker	Cllr K Chilvers	Cllr Dr T Barrett	
	Cllr Mrs L McKinlay	Cllr D Naylor		
	Cllr R Hirst	Cllr M Haigh		
Approved Substitute	Cllr C Poppy	Cllr S Cloke	Cllr Morrissey	
Approved Substitute	Cllr T McLaren	Cllr Mrs A Fulcher		
Approved Substitute	Cllr T Bridge			

Community & Health Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (0)	Non-Aligned (1)
Chair*:	Cllr C Poppy			
Vice-Chair**	Cllr Mrs C Tierney			
	Cllr Miss O Sanders (<i>Lead Member for Health & Wellbeing</i>)	Cllr Mrs V Davies		Cllr R Keeble
	Cllr M Reed	Cllr S Cloke		
	Cllr Mrs J Pound	Cllr Mrs A Fulcher		
Approved Substitute:	Cllr P Jakobsson	Cllr J Laplain		Cllr J Morrissey
Approved Substitute:	Cllr T Bridge	Cllr D Naylor		
Approved Substitute	Cllr Mrs M Pearson			

Dismissals Appeal Committee (9)	Conservative (5)	Liberal Democrat (4)	Labour (0)	Non-Aligned (0)
Chair*:	Cllr C Hossack			
Vice-Chair**:	Cllr Mrs N Hones			
	Cllr J Tumbridge	Cllr B Aspinell		
	Cllr C Poppy	Cllr P Mynott		
	Cllr C Nolan	Cllr A Fryd		
		Cllr S Cloke		
Approved Substitute:	Cllr J Kerlake	Cllr M Haigh		
Approved Substitute:	Cllr Miss O Sanders	Cllr K Chilvers		
Approved Substitute:	Cllr Mrs C Tierney			

Environment, Enforcement & Housing Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)	Non-Aligned (0)
Chair:	Cllr C Hossack			
Vice-Chair:	Cllr J Kerslake			
	Cllr T Bridge	Cllr D Naylor	Cllr Dr T Barrett	
	Cllr Mrs M Pearson	Cllr J Laplain		
	Cllr Mrs J Pound	Cllr N Clarke		
Approved Substitute:	Cllr Mrs N Hones	Cllr M Haigh	Cllr G Barrett	
Approved Substitute:	Cllr C Poppy	Cllr Mrs V Davies		
Approved Substitute:	Cllr J Cloke			

Planning & Licensing Committee (12)	Conservative (6)	Liberal Democrat (4)	Labour (1)	Non-Aligned (1)
Chair*:	Cllr Miss O Sanders			
Vice-Chair**:	Cllr R McCheyne			
	Cllr P Jakobsson	Cllr P Mynott	Cllr J Morrissey	Cllr R Keeble
	Cllr T McLaren	Cllr A Fryd		
	Cllr Mrs C Tierney	Cllr K Chilvers		
	Cllr J Kerlake	Cllr M Haigh		
Approved Substitute:	Cllr S Tanner	Cllr J Laplain	Cllr Dr T Barrett	Cllr G Barrett
Approved Substitute:	Cllr T Bridge	Cllr Mrs A Fulcher		
Approved Substitute:	Cllr C Nolan			

Policy, Resources and Economic Development Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)	Non-Aligned (0)
Chair*:	Cllr J Tumbridge			
Vice-Chair**:	Cllr Mrs N Hones			
	Cllr C Hossack	Cllr P Mynott	Cllr G Barrett	
	Cllr C Poppy	Cllr D Kendall		
	Cllr J Cloke (<i>Lead Member for Highways & Parking</i>)	Cllr M Lewis		
Approved Substitute:	Cllr R Hirst	Cllr B Aspinell	Cllr Dr T Barrett	
Approved Substitute:	Cllr T Bridge	Cllr S Cloke		
Approved Substitute:	Cllr M Reed			

Staff Appointments Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)	Non-Aligned (0)
Chair*:	Cllr C Hossack	[REDACTED]	[REDACTED]	[REDACTED]
Vice-Chair**:	Cllr Mrs N Hones	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	Cllr J Tumbridge	Cllr B Aspinell	Cllr G Barrett	[REDACTED]
[REDACTED]	Cllr C Poppy	Cllr M Haigh	[REDACTED]	[REDACTED]
[REDACTED]	Cllr C Nolan	Cllr S Cloke	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Approved Substitute:	Cllr J Kerlake	Cllr A Fryd	Cllr J Morrissey	[REDACTED]
Approved Substitute:	Cllr Miss O Sanders	Cllr D Naylor	[REDACTED]	[REDACTED]
Approved Substitute:	Cllr Mrs C Tierney	[REDACTED]	[REDACTED]	[REDACTED]

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Notice of Meetings 2019/2020

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 Ursuline Convent High School, Brentwood, Essex until further notice.

	Day	Time	May 2019	June 2019	July 2019	August 2019	September 2019	October 2019	November 2019	December 2019	January 2020	February 2020	March 2020	April 2020	May 2020
Annual Council	Wednesday	19:00	15th												20th
Ordinary Council	Wednesday	19:00		26th				8th (Tues)		11th	22nd		4th (Budget) 25th (if required)		
Audit and Scrutiny Committee	Tuesday	19:00		18th	30th (Signing of Accounts)			9th (Wed)			28th (Budget)		3rd		
Community and Health Committee	Tuesday	19:00			2nd		17th			3rd			10th		
Environment, Enforcement and Housing Committee	Tuesday	19:00		25th			24th			10th			17th		
Planning and Licensing Committee	Wednesday	19:00		12th	17th		4th	16th	13th	18th	15th	19th	11th		
Policy, Resources and Economic Development Committee	Wednesday	19:00			10th		11th		27th		8th	12th (Budget)	18th		

Dated this 15th May 2019

P. Ruck
HEAD OF PAID SERVICES

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

Holiday Calendar 2019/2020



**BRENTWOOD
BOROUGH COUNCIL**

	2019 May	June	July	August	September	October	November	December	2020 January	February	March	April	May
1				School holidays	School holidays	Conservative Party Conference	School holidays		Bank Holiday				
2				School holidays	School holidays	Conservative Party Conference			School holidays				
3				School holidays					School holidays				
4	Bank Holiday			School holidays					School holidays				Bank Holiday
5				School holidays					School holidays				
6				School holidays					School holidays				
7				School holidays								School holidays	
8				School holidays								School holidays	
9				School holidays								School holidays	
10				School holidays								Bank Holiday	
11				School holidays								School holidays	
12				School holidays								School holidays	
13				School holidays								Bank Holiday	
14				School holidays	Liberal Democrats Conference							School holidays	
15				School holidays	Liberal Democrats Conference							School holidays	
16				School holidays	Liberal Democrats Conference							School holidays	
17				School holidays	Liberal Democrats Conference					School holidays		School holidays	
18				School holidays						School holidays			
19				School holidays						School holidays			
20				School holidays				School holidays		School holidays			
21				School holidays	Labour Party Conference			School holidays		School holidays			
22				School holidays	Labour Party Conference			School holidays					
23			School holidays	School holidays	Labour Party Conference			School holidays					
24			School holidays	School holidays	Labour Party Conference			School holidays					
25	School holidays		School holidays	School holidays	Labour Party Conference			Bank Holiday					Bank Holiday
26	School holidays		School holidays	School holidays				Bank Holiday					School holidays
27	School holidays		School holidays	School holidays				School holidays					School holidays
28	School holidays		School holidays	Bank Holiday		School holidays		School holidays					School holidays
29	School holidays		School holidays	School holidays	Conservative Party Conference	School holidays		School holidays					School holidays
30			School holidays	School holidays	Conservative Party Conference	School holidays		School holidays					
31			School holidays	School holidays	Conservative Party Conference	School holidays		School holidays					

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Members Allowances 2019-20	Number	Allowances 2018-19	Allowances 2019-20	Only One SRA Permitted	Total Recommendation 2018-19	Total Recommendation 2019-20	Variance
Basic Allowance	37	5,950.80	6,010.31		220,179.60	222,381.40	2,201.80
Leader	1	13,086.25	13,217.11		13,086.25	13,217.11	130.86
Deputy Leader	1	6,317.50	6,380.68		6,317.50	6,380.68	63.18
Leader of Main Opposition	1	5,318.75	5,371.94		5,318.75	5,371.94	53.19
Leader of Minority Opposition	1	2,658.92	2,685.51		2,658.92	2,685.51	26.59
Chair of Audit & Scrutiny Committee	1	1,772.92	3,581.29		1,772.92	3,581.29	1,808.37
Chair of Regulatory & Governance Committee	1	1,772.92	0.00		1,772.92	0.00	-1,772.92
Chair of Community and Health Committee	1	3,545.83	3,581.29		3,545.83	3,581.29	35.46
Chair of Environment, Enforcement and Housing Committee	1	3,545.83	3,581.29	Leader of the Council	3,545.83	0.00	-3,545.83
Chair of Planning and Licensing Committee	1	3,545.83	3,581.29		3,545.83	3,581.29	35.46
Chair of Policy, Resources and Economic Development Committee	1	3,545.83	3,581.29		0.00	3,581.29	3,581.29
Vice Chair of Audit & Scrutiny Committee	1	483.57	976.82		483.57	976.82	493.25
Vice Chair of Regulatory & Governance Committee	1	483.57	0.00		483.57	0.00	-483.57
Vice Chair of Community and Health Committee	1	967.15	976.82		967.15	976.82	9.67
Vice Chair of Environment, Enforcement and Housing Committee	1	967.15	976.82		967.15	976.82	9.67
Vice Chair of Planning and Licensing Committee	1	967.15	976.82		967.15	976.82	9.67
Vice Chair of Policy, Resources and Economic Development Committee	1	967.15	976.82	Deputy Leader of the Council	0.00	0.00	0.00
Sub-total					265,612.94	268,269.07	2,656.13
Mayor	1	3,500.00	3,535.00		3,500.00	4,535.00	1,035.00
Deputy Mayor	1	1,000.00	1,010.00		1,000.00	1,510.00	510.00
Grand Total					270,112.94	274,314.07	4,201.13

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