



Agenda

Ordinary Council

Wednesday, 5 December 2018 at 7.00 pm

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

Membership (Quorum – 10)

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

Agenda

Item	Item	Wards(s) Affected	Page No
	Contents		
1.	Apologies for Absence		
2.	Declarations of Interest		
3.	Mayors Announcements		
4.	Minutes of the previous meeting To follow.		
5.	Presentation by the Police, Fire and Crime Commissioner		
6.	Public Questions None had been received at the time of publication of the agenda.		

7. **Memorials or Petitions**
None had been received at the time of publication of the agenda.
8. **Committee Chairs Reports and Members Questions** 7 - 8
9. **Housing Repairs and Maintenance Contract**
Report to follow.
10. **Response to Lower Thames Crossing Consultation (October-December 2018)**
Report to follow.
11. **Response to Basildon Borough Council Revised Publication Local Plan and Community Infrastructure Levy (Preliminary Draft Charging Schedule) November 2018**
Report to follow.
12. **Treasury Management Activity and Minimum Revenue Provision (MRP) Policy**
Report to follow.
13. **Notices of Motion** 9 - 10
14. **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.



Chief Executive

Town Hall
Brentwood, Essex
20.11.2018

Information for Members

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

There is wheelchair access to the meeting venue from the Main Entrance. If you do wish to attend this meeting, please contact the clerk should you have specific accessibility needs. There is an induction loop in the meeting room.

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

5 December 2018

Ordinary Council

Members' Questions on Chairs' Reports

Report of: *Philip Ruck – Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

1.1 In accordance with the Council's Constitution a brief written report by each committee Chair covering their area of responsibility is provided for Members' information at each Ordinary Council meeting.

1.2 Any Member may ask a Chair a written or oral question on
(a) any matter included in a Chair's written report; or
(b) any matter in relation to which the Council has powers or duties or which affects the Council's area and which falls within the area of responsibility of the Chair's committee.

1.3 Cllr Chilvers has submitted the following two questions:

1. In June, Brentwood Council agreed that it would become a "zero tolerance borough" as far as parking in blue badge spaces by non-blue badge holders was concerned. Unfortunately, several issues persist with able bodied drivers abusing the blue badge spaces with no consequences. Can the Leader please outline exactly what steps have been taken to ensure the council's decision is implemented throughout the borough.

2. Thousands of people with a multitude of disabilities rely on Registered Assistance Dogs to live independently however with stories of handlers and their dogs being refused access to shops, services and taxis, discrimination exists as many people still only recognise guide dogs as Assistance Dogs. Would the leader be willing to assist disabled people in Brentwood and educate the wider public by changing our signage on all council-owned public buildings (approximately 15 properties) from "Guide Dogs Only" to "Assistance Dogs Welcome"?

1.4 The period allowed for Chairs' reports, written and oral questions and answers will not exceed 60 minutes without leave of the Mayor.

2. Appendices to this report

Appendix A – Chairs' reports (to follow)

Report Author Contact Details:

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Ordinary Council

Notices of Motion

Report of: Philip Ruck – Chief Executive

Wards Affected: All

This report is: Public

1. Executive Summary

1.1 Two Notices of Motion have been submitted in accordance with Rule 3 in Part 4.1 of the Constitution - Council Procedure Rules.

1.2 Cllr Ms Rowlands submitted the following Notice of Motion:

"This Council welcomes the review and public consultation that has been launched by Essex County Council in regards to library provision across the county, including within the borough of Brentwood.

We recognise and agree that the current library service is outdated and needs modernising.

Therefore, Brentwood Borough Council pledges to work with our County Council partners in this regard and will consider options around location, service access and opening hours as part of this review. We will support efforts to involve the local community in both shaping and delivering future library provision in the borough, with particular focus on both Shenfield and Ingatestone libraries, identified as "tier 3" in the review."

1.3 Cllr Chilvers submitted the following Notice of Motion:

"The members of Brentwood Council request a report from the Constitution Working Group to the next appropriate Ordinary Council on amending section 8.3.12 (see below) of the constitution on 'closure motions' in order that all motions accepted by the monitoring officer be properly debated as per the published agenda in the interests of proper democracy and to ensure that it is not possible for members of the council to curtail or strike out matters that are to be debated for the benefit of residents.

"a) A member may move, without comment, the following motions at the end of a speech of another member:

- 1. to proceed to the next business*
- 2. that the question be now put;*

To change to:

a) A member may move, without comment, the following motions at the end of a speech of another member:

1. to proceed to the next business (after a minimum of 30 minutes of debate)

2. that the question be now put; (after a minimum of 30 minutes of debate)”

Report Author Contact Details:

Name: Jean Sharp

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Members Interests

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

- **What are pecuniary interests?**

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

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

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

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

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

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

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

- **Other Pecuniary Interests**

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

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

- **Non-Pecuniary Interests**

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

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

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

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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