



# Agenda

## Ordinary Council

Wednesday, 25 March 2020 at 7.00 pm

Council Chamber, Town Hall, Ingrave Road, Brentwood, Essex  
CM15 8AY

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### Membership (Quorum – 10 )

Cllrs Parker (Mayor), Ms Sanders (Deputy Mayor), Aspinell, Barrett, Dr Barrett, Bridge, Chilvers, Clarke, J Cloke, S Cloke, Mrs Davies, Mrs Fulcher, Fryd, Haigh, Hirst, Mrs Hones, Hossack, Jakobsson, Keeble, Kendall, Kerslake, Laplain, Lewis, McCheyne, McLaren, Mrs McKinlay, Morrissey, Mynott, Naylor, Nolan, Mrs Pearson, Poppy, Mrs Pound, Reed, Tanner, Tierney and Tumbridge

*Members are respectfully summoned to attend this meeting to conduct the business below.*

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Agenda Item	Item	Wards(s) Affected	Page No
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1.	<b>Apologies for Absence</b>		
2.	<b>Declarations of Interest</b>		
3.	<b>Mayor's Announcements</b>		
4.	<b>Local Council Award Scheme - Presentation to Ingatestone and Fryerning Parish Council</b>		
5.	<b>Minutes of the previous meetings - 22.1.2020 and 4.3.2020</b>		5 - 28
6.	<b>Public Questions</b> Report to follow.		
7.	<b>Memorials or Petitions</b>		

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|------------|---|-------------------|
| <b>8.</b>  | <b>Committee Chairs Reports and Members Questions</b><br>Members' written questions to follow.  | 29 - 40           |
| <b>9.</b>  | <b>Honorary Titles</b>  | All Wards 41 - 44 |
| <b>10.</b> | <b>Notices of Motion</b>  | 45 - 48           |
| <b>11.</b> | <b>Urgent Business</b><br>An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency. |                   |



Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
10.03.2020

## Information for Members

### Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

### Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

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

#### Point of Order

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

#### Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

#### Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

## Information for Members of the Public

### Access to Information and Meetings

You have the right to attend all meetings of the Council and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk).

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

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

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

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

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

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

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these activities, in their opinion, are disrupting proceedings at the meeting.

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#### **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. 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.

#### **Evacuation Procedures**

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



## Minutes

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### Ordinary Council Wednesday, 22nd January, 2020

#### Attendance

Cllr Parker (Mayor)	Cllr Kendall
Cllr Ms Sanders (Deputy Mayor)	Cllr Kerslake
Cllr Aspinell	Cllr Laplain
Cllr Barrett	Cllr Lewis
Cllr Dr Barrett	Cllr McCheyne
Cllr Bridge	Cllr Morrissey
Cllr Chilvers	Cllr Mynott
Cllr J Cloke	Cllr Naylor
Cllr Mrs Davies	Cllr Nolan
Cllr Fryd	Cllr Mrs Pearson
Cllr Haigh	Cllr Poppy
Cllr Hirst	Cllr Mrs Pound
Cllr Mrs Hones	Cllr Reed
Cllr Hossack	Cllr Tanner
Cllr Jakobsson	Cllr Tierney
Cllr Keeble	Cllr Tumbridge

#### Apologies

Cllr Clarke	Cllr McLaren
Cllr S Cloke	Cllr Mrs McKinlay
Cllr Mrs Fulcher	

#### Officers Present

Greg Campbell	- Director of Operations
Philip Drane	- Director of Strategic Planning
Chris Leslie	- Executive Director of Commercial Services
Tracey Lilley	- Interim Director of Housing & Enforcement
Rob Manser	- Revenues and Benefits Manager
Claire Mayhew	- Corporate and Democratic Services Manager
Jean Sharp	- Governance and Member Support Officer
Jonathan Stephenson	- Chief Executive
Steve Summers	- Chief Operating Officer
Jacqueline Van Mellaerts	- Director of Corporate Resources

### **328. Apologies for Absence**

Apologies for absence were received from Cllr Clarke, Sarah Cloke, Mrs McKinlay and McLaren.

The Mayor advised that Cllr Mrs Pound would be acting as Deputy Mayor for the duration of this meeting as Cllr Miss Sanders was incapacitated.

### **329. Variation in the Order of the Agenda**

In view of the large number of reports needing to be considered the Mayor proposed and it was agreed that agenda items 8, 9, 10, 11 and 13 be dealt with following Item 4 – Minutes of the previous meeting.

### **330. Declarations of Interest**

No declarations of interest were made at this stage of the meeting.

### **331. Mayors Announcements**

The Mayor advised Members of the engagements he had undertaken since the last Full Council meeting and reminded Members of their opportunity to nominate community-minded people for a Civic Award.

### **332. Minutes of the previous meeting**

Cllr Tumbridge proposed a change to the wording on Page 196 of the minutes under Minute 229 – Public Questions, as follows:

In response to the second question Cllr Tumbridge advised on behalf of Cllr Hossack that the High Court had recently ~~made~~ *given* judgement against the claimants case. Therefore in light of the High Court decision it would not be ~~possible~~ *appropriate* for the Council to consider such a motion as set out in the question.

Members **RESOLVED** to **APPROVE** the minutes as a true record, subject to the proposed amendment.

### **333. Brentwood Local Development Plan: Addendum of Focussed Changes to the Pre-Submission Local Plan (Regulation 19)**

Members were reminded that the National Planning Policy Framework (NPPF) required local planning authorities to produce a Local Plan for their area. Brentwood Borough Council was producing a new Local Development Plan and had reached Publication stage (Regulation 19). To reach this stage consultation had taken place on a Pre-Submission Local Plan (February 2019) and an Addendum of Focussed Changes to the Pre-Submission Local Plan (October 2019).

Consideration of representations received in response to the Pre-Submission Local Plan, specifically concerns regarding new homes proposed in Blackmore and Shenfield, resulted in further public consultation on focussed changes. Consultation on the Addendum of Focussed Changes concluded in November 2019. Responses to this consultation were summarised in Appendix A.

The Council had approved delegated authority for the Director of Strategic Planning, in consultation with the Chief Executive and Leader of the Council, to finalise and submit the Pre-Submission Local Plan (and supporting documents) with non-material amendments if required. For the Addendum of Focussed Changes to be submitted alongside the Pre-Submission Local Plan, approval was required from the Council.

The next stage of the plan-making process was Submission of the Local Plan to the Planning Inspectorate on behalf of the Secretary of State (Regulation 22), to take place in January 2020.

Members were advised of some additional wording being added to paragraph 3 of the main published report which was included when the recommendations was moved.

Cllr Hossack **MOVED** and Cllr Tumbridge **SECONDED** the recommendation in the report with the additional wording.

Cllr Keeble **MOVED** and Cllr Kendall **SECONDED** an **AMENDMENT** that sites R25 and R26 be removed from the Local Development Plan and placed at Dunton Hills Garden Village.

Cllr Hossack **DID NOT ACCEPT** the **AMENDMENT** and following a discussion a recorded vote was requested and taken. Members voted as follows:

FOR: Cllrs Aspinell, Barrett, Dr Barrett, Chilvers, Mrs Davies, Fryd, Haigh, Keeble, Kendall, Laplain, Lewis, Morrissey, Mynott and Naylor (14)

AGAINST: Cllrs Bridge, J. Cloke, Hirst, Mrs Hones, Hossack, Kerslake, McCheyne, Nolan, Parker, Mrs Pearson, Poppy, Mrs Pound, Reed, Miss Sanders, Tanner, Mrs Tierney and Tumbridge (17)

ABSTAIN: Cllr Jakobsson (1)

The **AMENDMENT** was **LOST**.

Returning to the **SUBSTANTIVE MOTION**, following a discussion during which Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** and it was **RESOLVED** that 'The question be now put', a recorded vote was requested and taken and Members voted as follows:

FOR: Cllrs Bridge, J. Cloke, Hirst, Mrs Hones, Hossack, Jakobsson, Kerslake, McCheyne, Nolan, Parker, Mrs Pearson, Poppy, Mrs Pound, Reed, Miss Sanders, Tanner, Mrs Tierney and Tumbridge (18)

AGAINST: Cllrs Aspinell, Barrett, Dr Barrett, Chilvers, Mrs Davies, Fryd, Haigh, Keeble, Kendall, Laplain, Lewis, Morrissey, Mynott and Naylor (11)

ABSTAIN: Cllrs Barrett, Dr Barrett and Morrissey (3)

The **MOTION** was **CARRIED** and it was **RESOLVED**:

1. **To approve that Appendix B - the Addendum of Focussed Changes to the Pre-Submission Local Plan be submitted to the Secretary of State as part of the Brentwood Local Plan Examination-in-Public process.**
2. **For clarification, in relation to item b. of the five proposed site allocations, the additional words 'and to require multiple access points to the combined sites R18 and R19' be added.**

Reasons for Recommendations

1. Approval to submit the Pre-Submission Local Plan was resolved by Extraordinary Council on 8 November 2018 (Item No. 181). This was approved subject to non-material amendments between Publication stage (Regulation 19) through to Submission (Regulation 22) and Examination, with delegated authority for the Director of Strategic Planning in consultation with the Chief Executive and Leader of the Council. Since then, the Council has also resolved to publish amendments to the Pre-Submission Local Plan through the Addendum of Focussed Changes document (Policy, Resources and Economic Development Committee, 11 September 2019, Item No. 168).
2. The Addendum of Focussed Changes document was subject to public consultation in order that the amendments could be treated as part of the submitted plan by the Inspector, as specified in Planning Practice Guidance (Paragraph 054, Reference ID 61-054-20190315, Revision Date 15/03/19). The recommendation would enable the Addendum to be submitted alongside the Pre-Submission Local Plan.

### **334. Council Tax Reduction Scheme**

The Leader agreed to review the arrangements of the Revenue and Benefits Partnership between Brentwood and Basildon Council following a decision at Policy, Resources and Economic Development Committee and some Members concerns of the service area.

Following that review, it was recommended that Full Council approve a replacement to the current Local Council Tax Support scheme (LCTS) for 2020/21. This alternative scheme would introduce a newer, less complex



Council Tax Reduction scheme (CTR) for residents who were of working age in Brentwood.

More households would be positively affected by the implementation of the new scheme.

Public consultation on a replacement scheme was undertaken from 4 November 2019 to 15 December 2019. All Members were notified on 1 November 2019 with access to the consultation.

Members noted that if approved the scheme would be implemented for the financial year 2020/21 and it was a requirement for approval by full council by 31 January 2020.

Members received a presentation on the proposed Scheme by the Shared Services Revenues & Benefits Manager.

Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** the recommendation in the report and following a discussion and vote by a show of hands it was **RESOLVED**

**To approve the new Council Tax Reduction Scheme for 2020/21, as set out as Option B of the report.**

### **335. Draft Corporate Strategic Plan**

This report before Members provided an update on progress of the Draft Corporate Strategy 2020 – 2025 and sought approval for it to be agreed and published from January 2020.

The Corporate Strategy would cover a five-year period, 2020 to 2025. The plan will be referred to as Brentwood's Corporate Strategy and set out the strategic direction for the Council over the 5 year period. It would replace the previous plan which ran from 2016 to the end of 2019.

The report also summarised achievements against the previous plan and the consultation that was undertaken to assist in informing the content of the Draft Corporate Strategy.

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

Following a discussion and vote on a show of hands it was **RESOLVED:**

**1. To agree the new corporate strategy 2020-2025 and delegate any minor changes to the Chief Executive, in consultation with the Leader of the Council, prior to final publication.**

**2. To agree to the development of work programmes by officers to deliver the Corporate Strategy 2020-2025, details of which will be reported back to appropriate future committees for decision**

### **Reasons for Recommendations**

1. The recommendations are based on the returns from the consultations, political group consultation and political priorities.
2. The Council is required to have a corporate strategy that is published.
3. The Council needs to be ever more efficient, develop a modern thinking and delivering council.
4. It is noted that further work is required to identify the programmes of work in which the strategy can be delivered.

### **336. Appointment of Statutory Officer**

Members were reminded that at the Extraordinary Council on 18 September 2019 it was agreed to proceed with the recruitment for the role of Head of Legal Services and Monitoring Officer (Director of Law & Governance) in accordance with statutory requirements.

Following this the Council engaged the services of a specialised local authority employment company to undertake the recruitment of a Head of Legal Services and Monitoring Officer (Director of Law & Governance).

The recruitment process included the candidates undertaking technical interviews on 5 November 2019 with a specialised local authority employment company and another local authority Monitoring Officer.

The candidates were also interviewed by the Councils Staff Appointments Committee on the 19 November 2019. The Staff Appointments Committee consisted of Cllrs Aspinell, G Barrett, Mrs Hones, Fryd, Hossack, Naylor, Poppy and Tumbridge.

Following these interviews, the Staff Appointments Committee made the recommendation as set out in 2.1 of the report.

In addition, following the September meeting, the appointed Interim Head of Legal Services and Monitoring Officer, Paula Harvey, left the Council on 13 December 2019.

As the Monitoring Officer role was vacant, the Chief Executive appointed Steve Summers as the Council's Monitoring Officer on an interim arrangement with effect from the 12 December 2019.

Pending the arrival of the permanent Director of Law & Governance and Monitoring Officer, it was recommended that Steve Summers should act in the statutory position of Monitoring Officer.

The new Senior Management structure was set out as Appendix A. It was noted that Chris Leslie was Managing Director of Seven Arches Investments.

Cllr Hossack **MOVED** and Cllr Aspinell **SECONDED** the recommendations in the report and following a discussion it was **RESOLVED UNANIMOUSLY** that

**1. Upon the recommendation of the Staff Appointments Committee, to approve the appointment of Amanda Julian as Director of Law & Governance and Monitoring Officer with effect from 2 March 2020.**

**2. To confirm the appointment of Steve Summers as Interim Monitoring Officer with effect from the 12 December 2019 until the arrival of the permanent Director of Law & Governance and Monitoring Officer as above.**

### **Reasons for Recommendations**

The Council is required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as its Monitoring Officer, to discharge statutory responsibilities relating to the Council's Constitution and arrangements for effective governance. The appointment must be approved by full Council following a recommendation by the Staff Appointments Committee.

### **337. Urgent Business - Council Tax Technical Changes 2020/21**

The Mayor had accepted this report as Urgent Business as the proposed amendments to the Council's scheme would need to be implemented on 1 April 2020.

The report had been presented to Policy, Resources and Economic Development Committee on 8 January 2020 and now required Full Council's approval.

Amendments were recommended to the scheme of Council Tax Discounts and Premiums with effect from 1 April 2020, using discretionary powers granted by the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. The report outlined the changes and the potential impact on the tax base.

Members noted that exceptions would be operated to ensure that people with valid reasons for empty homes would not be punished.

Cllr Hossack **MOVED** and Cllr Tumbridge **SECONDED** the recommendation in the report and following a discussion a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY**

**That, in exercise of powers granted to billing authorities in the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, Full Council approves the following amendments to this Council's scheme of council tax premiums chargeable on empty dwellings:**

- **100% where empty for more than two years, commencing 1 April 2020**
- **200% where empty for more than five years, commencing 1 April 2021**
- **300% where empty for more than ten years, commencing 1 April 2022**

### **338. 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 has been received by 10.00am two working days before the relevant meeting.

Mrs Jan Gearon-Simm had submitted the following question:

*A group of YouTube stars have raised more than \$6m (£4.7m) to plant trees around the world.*

*YouTubers have created the #Team Trees project.*

*All donations are sent directly to the ARBOUR DAY FOUNDATION, a US non profit organisation dedicated to planting trees, which they will plant around the world starting in January 2020 with the aim of completing the project within 3 years.*

*Will Brentwood Borough Council contact the ARBOUR DAY FOUNDATION, having first identified areas in Brentwood where trees can be planted?*

Cllr Hossack responded as follows: Thank you, Jan, as always your questions are welcome and always well intended. The nub of your question is really whether we will contact the Arbour Day Foundation. To put in context, we are moving on with this, I don't need to contact the Arbour Day Foundation. I do wonder if there is any value in contacting them as it is a US non profit organisation, they might be interested in Brentwood Tennessee, not Brentwood, Essex; but I'll tell you what I'll do for you. If you write me the letter as a concerned resident, I will put a covering letter to it, stick in an envelope with a stamp on it, as I know you don't email. It would be much more efficient and environmentally friendly if you were to email and I would encourage you

to do so; remember we have a contract with residents to go green. If you send that to me, I will forward it on to the Arbour Day Foundation, but it doesn't deter from what we have already resolved to do; we have 5 country parks and we made a decision last week to plant out in Hutton as a starter, we have a very ambitious arboricultural assistant and I am quite confident that through him we will do some excellent tree planting work in the coming years. These are the sorts of things you will see suggested and covered in our Corporate Strategy. So I think we're on it, but to keep you happy, as you know I'm very fond of you Jan, you send me a letter and I will send it on to the Arbour Day Foundation, and we'll make a joint approach.

Mrs Patricia Smith had submitted two questions:

1. *What obligation is there upon Brentwood councillors, (and what mechanisms are in place to ensure), that Brentwood Council members respectfully and fully consider and properly answer a resident's questions; that residents can physically easily hear the verbal response in the Council chamber in it's entirety, from where they are obliged to sit (at the back, with councillors sitting at a distance and speaking in a direction away from them); and that members issue a proper (timely) response clearly in writing, and properly, thoroughly, investigate and follow up afterwards the concerns raised in residents' questions?*

Cllr Hossack responded as follows:

Thank you, Mrs Smith, and again thank you for your questions as I know you always show a keen interest in local democracy and you should be commended for that. I can advise that Members and the Council take residents' questions very seriously and any response is carefully considered and if there is a need to follow up, we will always do so and I personally will always do so accordingly. I can advise that in line with the Council's Constitution, a verbal response given at the meeting, as such as I am giving now, will be recorded in the Minutes of the meeting so there is always a written record of that. The other point you raised is good, but hopefully what you are seeing in this response is better, as we are face to face, and I agree with you, that me having been given an answer with my back to you is not ideal, this is much better and I am grateful for the layout of the new chamber, and the technology. The microphone being portable, is essential that Members put the microphone in front of them, one between two, so its properly recorded. There is always an audio recording and a written recording in the Minutes. Therefore, I am comfortable we are going about it in the right way.

2. *Regarding Brentwood Council's complaints system, and the associated Council responsibility for accountability, democracy, and for ensuring the vital independence of any necessary scrutiny of itself, in how it deals with complaints.*

*What mechanisms are in place to ensure the objectivity, impartiality and fairness of the Brentwood Council Complaints process? Please explain how*

*the Council attempts to ensure that principles and standards of response to complaints are adhered to.*

Cllr Hossack responded as follows:

I will now respond to the written question you put formally and which was received by the Council. The Council's formal complaints policy sets out how the Council deals with formal complaints and is in line with best practice. This includes two stages of officer responses, the second response by a senior officer and if required an independent final stage undertaken by the local government ombudsman. In addition, the Council's Audit & Scrutiny Committee review all of the Council's complaints via a cross-party working group and through the committee itself. Thank you for your question.

### **339. Memorials or Petitions**

No notices of Memorials or Petitions had been received.

### **340. 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 provided for Members' information at each Ordinary Council meeting.

Any Member might 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.

Two written questions were submitted by Cllr Chilvers, as follows:

1. *Last summer, during major building works in Shenfield, wheelchair users were forced to use the main road carriageway to travel as the footpath was completely blocked with no adequate access provided for them.*

*Will the Chair of the Planning Committee confirm that Brentwood Borough Council policy will change by the start of the municipal year 2020/21 to ensure that this inequitable and dangerous situation cannot occur again?*

Cllr McCheyne responded as follows:

The local planning authority has no authority over highway land or the ability to insist on how it's managed in this way. It is a matter for the Highway Authority and the developer.

2. *During 2019, it was agreed by the then Leader of the Council that all Brentwood Borough Council buildings would display a sign saying "Assistance*

*Dogs Welcome” (as is the law) and any now redundant signage would be removed. Can the current Leader of the Council confirm this is now in place?*

Cllr Hossack responded as follows:

I can confirm this has been completed.

Two written questions were submitted by Cllr S Cloke which Cllr Chilvers read out in Cllr Cloke’s absence, as follows:

1. *For over a decade, council meetings were webcast allowing Brentwood residents to watch live or to catch up later and making us a transparent council in this regard.*

*In 2017 when the council moved out of the Town Hall temporarily, a motion was agreed - unanimously - that audio recordings would fill the void left due to difficulties arising from being nomadic. The promise was that visual recording would return.*

*It has not yet returned and initially this was said to be due to staff training requirements. More recently a casework enquiry has informed us that a decision on its return has yet to be made.*

*Please can the leader confirm when webcasting will return and that audio recording will continue until that time?*

Cllr Hossack responded as follows:

The Motion passed was as below on the 19<sup>th</sup> July 2017.

*‘On 31st May 2017, after over 15 years of making Brentwood Council open and transparent to its residents, webcasting ceased.*

*Although it is understood that the contract has ended and the intention is to start it up in the future, there are many important decisions to be made over the coming months.*

*These days, we do not have to rely on a webcasting company to host our meetings. Therefore, this council will work towards having an interim/cost effective solution in place to record its meetings as soon as possible.’*

There is no commitment to return to video recordings. It’s very simple, and I go back to the Corporate Plan, and value for money. If I look at the figures for when we were video recording; figures were low and none. Do I agree in principal that webcasting is good for democracy? Yes it probably is and some people avail themselves on it. But the cost is somewhere between £14,000 and £20,000 per year and the beneficiaries, according to those statistics, some months none and other months low, then I have to consider value for money for the taxpayer. If we are going to invest in it then budget pressures

need to be considered and something might have to give in order to put that on. If I think £14,000 somewhere else could top up and benefit our community fund, help some local charities, help someone like MIND I would rather put the money into that than host an expensive service that benefits very few people. So the point I'm making is we need to do the maths and look at it. I am not saying "no". It should come to committee, do the maths, make a cost effective decision, if it's a lot of benefit to a lot of people, it has a strong case, if it isn't then it won't happen as I need to look at financial due diligence or this council.

Total April 2015 – April 2016

Live Viewers: 170

Archived Viewers: 297

NOTE: These figures relate to viewers only and do not include the number of persons making 'hits' on the site i.e. Webcast visitors.

2. *Since Brentwood's street lighting was switched off by Essex County Council, our residents have constantly been concerned that night crime has increased. Liberal Democrat councillors have raised the issue but the response has always been that there is no correlation.*

*However, in the consultation response from Essex Police in the agenda for the Licensing sub-Committee on 14/11/2019 the following statement was made:*

*"Essex County Council have imposed part night lighting in Brentwood, which operates from midnight six days a week. Although it does currently not affect the high street, it could be a hazard to patrons leaving the area to seek public transport and trains nearby during the dark winter nights."*

*Does the chair of licensing (and indeed the chair for that sub-committee) agree that the concerns of our police force - that seem to concur with those of our residents- should be passed to the Police & Crime Commissioner and ECC to inform any future review and that she will ensure this is done?*

Cllr Hossack responded as follows:

The reality is the statement is in relation to a County matter, we are not a highways authority which accounts for lighting. Cllr Hirst is a premier authority we have the benefit of addressing this committee in terms of the opinion of the police on it. It's a policy for Essex and I know based on statistics that there is no evidence of detriment to crime. This comment was made following a license application for Sugar Hut, and it says people exiting the club, should it be granted, would be in the High Street, where it is lit and where people are using public transport, and where other areas and transport hubs may be lit. Nevertheless, our position has not changed and we will not be petitioning councillors to do anything they have not already done.



### 341. Urgent Business - Snakes Hill Sewerage Plant Renewal

The Mayor had agreed to accept this item as Urgent Business to enable officers to seek approval from Full Council for the award of a contract to allow for contract negotiations, relevant work notices to be served and for work to commence by the end of March 2020.

This report was discussed in private session as it contained Exempt information.

Following issues with the Snakes Hill treatment plant and the subsequent installation of a nursery tank, a dedicated specialist project manager and project team was established in July 2019 in order to resolve this matter.

The project team was now in a position to award the contract with Members approval for works to be completed by the end of July 2020.

Cllr Parker **MOVED** and Cllr Mrs Pound **SECONDED** the recommendation in the report and following a discussion a vote was taken on a show of hands and it was it was **RESOLVED**:

**To approve the award of contract to the identified bidder as set out in this report at paragraph 20.**

#### **Reason for Recommendation**

In line with procurement governance, we are seeking approval for award of contract to allow for contract negotiations, relevant work notices to be served and for work to commence by the end of March 2020.

### 342. Notices of Motion

Fourteen Notices of Motion had been submitted in accordance with Rule 3 in Part 4.1 of the Constitution - Council Procedure Rules and were listed in order of the date received.

1. Cllr Hossack had submitted the following Notice of Motion:

*This council has in place a ban on the release of balloons and lanterns from Council owned land. Given the implications to the environment and wildlife, we would encourage private land owners and venues to do likewise.*

Cllr Hossack **MOVED** and Cllr Hirst **SECONDED** the motion, a vote was taken on a show of hands and it was **RESOLVED** accordingly.

2. Cllr Poppy withdrew his motion.
3. Cllr Peter Jakobsson submitted the following Notice of Motion:  
*That Council endorses the work already being undertaken by Officers in setting up a Brentwood Dementia Action Alliance to make Brentwood Dementia Friendly. In addition to the Health and Wellbeing Board reporting to the Community and Health Committee annually, progress is also reported to full council on an annual basis.*

Cllr Jakobsson **MOVED** and Cllr Mrs Davies **SECONDED** the motion having proposed the wording be **AMENDED** to which Cllr Jakobsson **AGREED**.

A vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY:**

*That Council endorses the work already being undertaken by Officers in setting up a Brentwood Dementia Action Alliance to make Brentwood Dementia Friendly. In addition to the Health and Wellbeing Board reporting to the Community and Health committee at every meeting, progress is also reported to full council.*

4. Cllr James Tumbridge had submitted the following Notice of Motion  
  
*That officers be instructed to make arrangements to aid members in the simplification of the updating of members interests.*  
  
Cllr Hossack **MOVED** and Cllr Mrs Hones **SECONDED** the motion which was **RESOLVED UNANIMOUSLY** accordingly.
5. Cllr Chilvers submitted the following Notice of Motion:  
*Brentwood residents are excellent recyclers and make a superb effort to recycle as much as they can.*

*However, a number of items are not easily recyclable and, no doubt, this weighs heavily on their consciences. One item type that isn't commonly recyclable is pet food packaging.*

*An average cat, fed on pet pouches, dry food and treats will fill the equivalent of a standard bath full of non-recyclable waste each year.*

*There are solutions available with companies such as Terracycle.*

*After conducting due diligence via feasibility studies and reporting to the appropriate committee, Brentwood Borough Council will seek to assist its residents by introducing a pet food packaging recycling service within the next twelve months.*

Cllr Chilvers **MOVED** and Cllr Laplain **SECONDED** the motion.

Following a discussion Cllr Chilvers proposed that 'within the next twelve months' be removed from the motion and it was **RESOLVED** accordingly.

6. Cllr Aspinell submitted the following Notice of Motion:

*This Council pledges to support the residents of Warley in committing the full weight of Brentwood's available resources, officer's time, legal/financial requirements with the objective of returning Five Acre Farm to its original green belt, green field condition and furthermore, this Council will not cease in that objective until this has been achieved.*

Cllr Aspinell **MOVED** and Cllr Kendall **SECONDED** the motion, a vote was taken on a show of hands and it was **RESOLVED** accordingly.

7. Cllr Laplain submitted the following Notice of Motion:

*This Council resolves, in light of the appalling situation occurring at Five Acre Farm, Warley and the horrendous emotional and psychological effect of this unlawful settlement on the law abiding, tax paying local residents, to ensure that this catastrophic effect on our local communities is not suffered again throughout the Borough without adequate measures taken by this Council to inform the residents that a situation could occur and that the Council is taking all available measures to prevent it from doing so.*

Cllr Laplain **MOVED** and Cllr Haigh **SECONDED** the motion. Following a discussion a vote was taken on a show of hands and the **MOTION** was **LOST**.

8. Cllr Kendall submitted the following Notice of Motion:

*This Council resolves to write to our MP to ascertain from him what measures he has taken and the proposed timescales involved, to introduce legislation that would prevent what has happened in Brentwood at Stocks Lane, Ingatestone, Roman Triangle, Mountnessing, Blackmore and now Five Acre Farm, Warley.*

*Mr. Burghart, in front of a packed Chamber promised assembled local residents that the first thing he would do, if re-elected, would be to put pressure on the Government to change legislation which would enable the prevention and enforcement of illegal settlements taking place in the first instance.*

Cllr Kendall **MOVED** and Cllr Mynott **SECONDED** the motion. A vote was taken on a show of hands and the **MOTION** was **LOST**.

9. Cllr Fryd withdrew his motion.
10. Cllr Laplain had submitted the following Notice of Motion but at the meeting requested it be referred onto the appropriate Committee for consideration.

*This Council resolves to identify land within the borough that is either owned by the Council or purchased by the Council for the provision of temporary and emergency accommodation for our residents that are having to seek this type of accommodation and are finding themselves in various towns around the County. We find it disappointing that Chelmsford City Council have block-booked the local hotels or B&Bs for an indefinite period to house their homeless tenants, yet we have to send ours out of the borough.*

*This we believe, we should all agree is an unsatisfactory situation and we should be doing all we can to place our homeless within the borough.*

11. Cllr Mynott submitted the following Notice of Motion:

*The Committee on Climate Change states that the UK needs 50 million new trees per year to hit net zero carbon emissions by 2050. This equates to 32,000 hectares net woodland increase annually for the next 30 years.*

*Several councils have already undertaken to double the existing tree cover within their districts. If Brentwood is prepared to do its part, taking the size of Brentwood Borough as a percentage of the UK as whole, the Committee on Climate Change figures would equate to 600 hectares of new tree cover.*

*Without committing to specific targets at this stage, we therefore propose that Brentwood quickly move to develop a proper strategy for new tree planting - in part drawing on the strategies adopted by other authorities which have already taken up this challenge. This must result in proposals for Brentwood on a scale appropriate to the scale of the challenges facing us as a borough, a nation and a species. This strategy should not only address climate change. It should look at increasing protection to existing trees, increasing biodiversity, better enabling residents to connect with the natural environment, reducing levels of air pollution, and decreasing the existing flood risks.*

Cllr Mynott **MOVED** and Cllr Aspinell **SECONDED** the motion, a vote was taken on a show of hands and the **MOTION** was **LOST**.

12. Cllr Mrs Pearson submitted the following Notice of Motion:

*That this council investigates the opportunity to provide apprenticeship opportunities in retail management whereby the costs incurred are covered by the profit generated, thereby making it cost neutral to the council but of maximum benefit to those that pass through the scheme.*

*A business case proposal is to be brought back to the PRED cttee for member consideration.*

Cllr Mrs Pearson **MOVED** and Cllr Mrs Tierney **SECONDED** the motion and a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY** accordingly.

13. Cllr Ms Sanders had submitted the following Notice of Motion:

*That this Council seeks to review the use of Construction Management Agreements for the protection of the local community and local infrastructure during construction phase, for all planning applications approvals that require building works.*

Cllr McCheyne **MOVED** and Cllr Cloke **SECONDED** the motion, a **vote** was taken on a show of hands and it was **RESOLVED UNANIMOUSLY** accordingly.

14. Cllr Chilvers had submitted the following Notice of Motion but requested it be deferred to the 25 March 2020 Ordinary Council meeting.

*Fireworks cause considerable distress to our pets, wildlife and livestock. In addition, they cause distress to the sick, vulnerable and those with mental health issues. There are also concerns over their environmental impact.*

*There are alternatives such as silent fireworks and drone light shows. With Brentwood residents contacting us regularly with their concerns and major supermarket chains halting their sale, it is surely time to review the use of traditional, outdated fireworks and look for a new way to celebrate in 2020.*

*Unfortunately, councils' powers are limited. Stopping their sale has no impact as people can buy elsewhere and restricting them by licensing powers covers barely any fireworks events as most are private. Licensing officers advised that major reform can only be made at parliamentary level. Therefore, Brentwood Council resolves to write to Alex Burghart MP to request that he formally engages with the RSPCA (the organisation campaigning to change fireworks legislation) and report back within six months.*

The meeting ended at 10.40pm

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# Minutes

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## Ordinary Council Wednesday, 4th March, 2020

### Attendance

Cllr Parker (Mayor)	Cllr Keeble
Cllr Ms Sanders (Deputy Mayor)	Cllr Kendall
Cllr Aspinell	Cllr Laplain
Cllr Barrett	Cllr McCheyne
Cllr Dr Barrett	Cllr McLaren
Cllr Bridge	Cllr Mrs McKinlay
Cllr J Cloke	Cllr Mynott
Cllr S Cloke	Cllr Naylor
Cllr Mrs Davies	Cllr Nolan
Cllr Mrs Fulcher	Cllr Mrs Pearson
Cllr Fryd	Cllr Poppy
Cllr Haigh	Cllr Mrs Pound
Cllr Hirst	Cllr Reed
Cllr Mrs Hones	Cllr Tanner
Cllr Hossack	Cllr Tierney
Cllr Jakobsson	Cllr Tumbridge

### Apologies

Cllr Chilvers	Cllr Lewis
Cllr Clarke	Cllr Morrissey
Cllr Kerslake	

### Officers Present

Phoebe Barnes	- Corporate Finance Manager
Greg Campbell	- Director of Operations
Philip Drane	- Director of Planning and Economy
Amanda Julian	- Director of Legal Services and Monitoring Officer
Chris Leslie	- Executive Director of Commercial Services
Tracey Lilley	- Interim Director of Housing & Enforcement
Claire Mayhew	- Corporate and Democratic Services Manager
Jean Sharp	- Governance and Member Support Officer
Jonathan Stephenson	- Chief Executive
Steve Summers	- Chief Operating Officer
Jacqueline Van Mellaerts	- Director of Corporate Resources

### **389. Apologies for Absence**

Apologies were received from Cllrs Chilvers, Clarke, Kerslake, Lewis and Morrissey.

### **390. Declarations of Interest**

There were no declarations of interest at this stage.

### **391. Budget 2020-2021**

The report before Members set out all the relevant information needed by the Council to set the budget for the Borough.

The budget was considered by the Policy, Resources & Economic Development Committee on 12<sup>th</sup> February 2020 and had been recommended to Ordinary Council for consideration and approval.

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

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

This report considered:

- (i) The General Fund budget proposals for 2020/21 to 2022/23.
- (ii) The Council Tax Requirement for 2020/21
- (iii) The Housing Revenue Account (HRA) budget proposals for 2020/21 onwards.
- (iv) The Capital and Investment Strategy for 2020/21 including the Council's capital Programme 2020/21 to 2022/23
- (v) Fees & Charges
- (vi) Pay Policy Statement
- (vii) Section 151 Officers Assurance Statement.



(viii) Council Tax Resolution 2020-21

The figures presented summarised the detailed service budgets, together with known adjustments including the impact of the central government grant funding.

The key elements of the proposed budget were:

General Fund

- 1) A balanced budget to be set for 2020/21
- 2) An increase of Council Tax for 2020/21 in order to deliver a balanced budget and deliver on the required investment outlined within the budget.
- 3) The continuation of reduction in funding made available by Central Government

Housing Revenue Account

- 1) For 2020/21 a budget that delivered a small surplus of £87k.
- 2) Increase in rents of CPI plus 1% per annum
- 3) Continued investment in the delivery of Decent Homes and Development of Housing within the Borough.

Capital

- 1) Total additional capital investment of £10.564m in 2020/21
- 2) With an additional investment of £14.724m from 2021 to 2023.

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

Cllr Gareth Barrett had submitted and **MOVED** and Cllr Tim Barrett **SECONDED** the following **AMENDMENT**:

*Given the restoration of Town Hall services, and potential commercial/residential lettings, invite local businesses to bring in a coffee van style operation or similar for a set period of the day.*

Cllr Hossack **ACCEPTED** the **AMENDMENT**.

Cllr Gareth Barrett had submitted and **MOVED** and Cllr Tim Barrett **SECONDED** a second **AMENDMENT**:

*Recommend the Independent remuneration panel review that the job role of the Leader and Deputy Leader both Chair a committee and that special responsibility allowance is reviewed accordingly.*

Cllr Hossack did **NOT ACCEPT** this **AMENDMENT** and it was debated.

Members voted on a show of hands and the **AMENDMENT** was **LOST**.

Cllr Gareth Barrett had submitted and **MOVED** and Cllr Tim Barrett **SECONDED** a third **AMENDMENT**:

*For the financial year 2021/22 onwards Brentwood Borough Council removes its Second Home Discount (10%) from Council Tax and reviews the Empty Home Council Tax Discount (100%), after following all appropriate consultation procedures.*

Cllr Hossack did **NOT ACCEPT** this **AMENDMENT** and it was debated.

Members voted on a show of hands and the **AMENDMENT** was **LOST**.  
(Cllrs Mrs McKinlay, Jon Cloke, Hirst, McCheyne and Poppy each declared a non-pecuniary interest by virtue of owning second properties).

Returning to the **SUBSTANTIVE MOTION**, following a full discussion a recorded vote was taken in accordance with Local Authorities (Standing Orders) (England)(Amendment) Regulations 2014).

Members voted as follows:

FOR: Cllrs Bridge, Jon Cloke, Hirst, Mrs Hones, Hossack, Jakobsson, McCheyne, Mrs McKinlay, McLaren, Nolan, Parker, Mrs Pearson, Poppy, Mrs Pound, Reed, Ms Sanders, Tanner, Mrs Tierney and Tumbridge (19)

AGAINST: Cllrs Aspinell, Gareth Barrett, Tim Barrett, Sarah Cloke, Mrs Davies, Fryd, Ms Fulcher, Haigh, Keeble, Kendall, Laplain, Mynott and Naylor (13)

ABSTAIN: (0)

The Motion was **CARRIED** and it was **RESOLVED** to:

**1. Approve the General Fund Budget and Medium-Term Financial Strategy as set out in Appendix A to the report.**

**2. Approve that Council Tax is increased for 2020/21 by £5 per Band D property, increasing the charge for a Band D property from £188.63 to £193.63 per annum. The complete Council Tax Bandings (Brentwood Council Only) are included in Appendix A (Table 10), Page 23 of the report.**

**3. Approve the HRA budget 2020/21 including the 30-year HRA Business Plan within Appendix B (Table 6 and Table 11) to the report.**

- 4. Approve an increase to rents for 2020/21 by CPI plus 1%**
- 5. Approve the Capital and Investment Strategy in Appendix C including the Capital Programme (Table 4 & 5) pages 17 and 18 of the report.**
- 6. Approve the Fees & Charges Schedule in Appendix D to the report.**
- 7. To approve the Pay Policy Statement in Appendix E to the report.**
- 8. To note and approve the Section 151 Officer's Assurance Statement in Appendix F to the report.**
- 9. Approve the formal resolutions to set the Council Tax level for 2020/21 be made as set out in Appendix H (page 4 to 8 of the report)**
- 10. Given the restoration of Town Hall services, and potential commercial/residential lettings, invite local businesses to bring in a coffee van style operation or similar for a set period of the day.**

#### **Reasons for Recommendations**

1. Effective financial management underpins all of the priorities for the Council and will enable the Council to operate within a sustainable budget environment.
2. The Council is required to approve the Budget as part of the Budget and Policy Framework.

#### **392. Urgent Business**

There were no items of urgent business.

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The meeting ended at 8.30pm

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# Agenda Item 8

<b>Committee:</b> Ordinary Council	<b>Date:</b> 25 March 2020
<b>Subject:</b> Chairs' Reports and Members' Questions	<b>Wards Affected:</b> All
<b>Report of:</b> Jean Sharp	<b>Public</b>
<b>Report Author/s:</b> Name: Jean Sharp Telephone: 01277 312655 E-mail: jean.sharp@brentwood.gov.uk	<b>For Information</b>

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.

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.

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

## **Appendices to this report**

Chairs Reports for:

Appendix A: Audit and Scrutiny Committee

Appendix C: Planning and Licensing Committee

Appendix B: Policy, Resources and Economic Development Committee

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## Appendix A

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 25 March 2020
<b>Subject:</b> Chairs report for Audit and Scrutiny Committee	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Charles Nolan	
<b>Report of:</b> Jacqueline Van Mellaerts, Director of Corporate Resources	<b>FOR INFORMATION</b>

There has been two Audit and Scrutiny Committees since the last Ordinary Council.

### **Audit Results of Statement of Accounts 2018/19 & Annual Audit Letter**

The Council's External Auditors, Ernst & Young have completed their audit of the Council's Statement of Accounts for 2018/19. The report presented their conclusions and the final Financial Statements and subsequently their Annual Audit Letter which summarised and concluded the Audit process.

External Audit issued an unqualified audit opinion for the Statement of Accounts 2018/19 and an unqualified value for money conclusion.

### **External Audit Plan 2019/20**

The External Audit Plan set out how the Council's external auditors, Ernst & Young intend to carry out their responsibilities in auditing the final accounts for the financial year 2019/20.

### **Internal Audit Progress Report**

The report was intended to inform the Audit and Scrutiny Committee of progress made against the 2019/20 internal audit plan.

The following reports have been finalised since the last Committee:

- Housing benefits (2019/20) (Moderate/Moderate)
- General Data Protection Regulations Operational (2019/20) (Substantial/Substantial)
- Leisure Services (2019/20) (Moderate/Substantial)

Members also reviewed the latest position on the follow up recommendations from previous audits.

### **Internal Audit Plan 2020/2021**

Members were presented with a report that outlined the Internal Audit Operational Plan for 2020/21, three year Strategic Plan and Internal Audit Charter which was approved.

## **Risk Management**

Members were updated on the status of the Council's Strategic Risk Register and High Operational Risks. The latest risk registers presented:

EU Exit risk on the Strategic Risk Register had been decreased all other risk scores have remained the same since the recent Committee in January.

Of the high-level operational risks, the risk scores have remained the same from the recent Committee in January.

## **Formal Complaints & Performance Indicator Working Group**

Members received a report and recommendations of the Formal Complaints and Performance Indicators Working Group for consideration by the Audit & Scrutiny Committee.

## **Scrutiny Work Programme 2019/20**

The Constitution requires that the Audit & Scrutiny Committee agrees its Scrutiny work programme at each meeting of the Committee.

The following items considered to be reported to the committee as part of its Scrutiny Work Programme.

- Local Development Plan
- Performance Indicators and Formal Complaints

Following a member request it was agreed that a presentation is given by SEPP, along with a report from legal officers reviewing alternative options for on street parking in the borough.



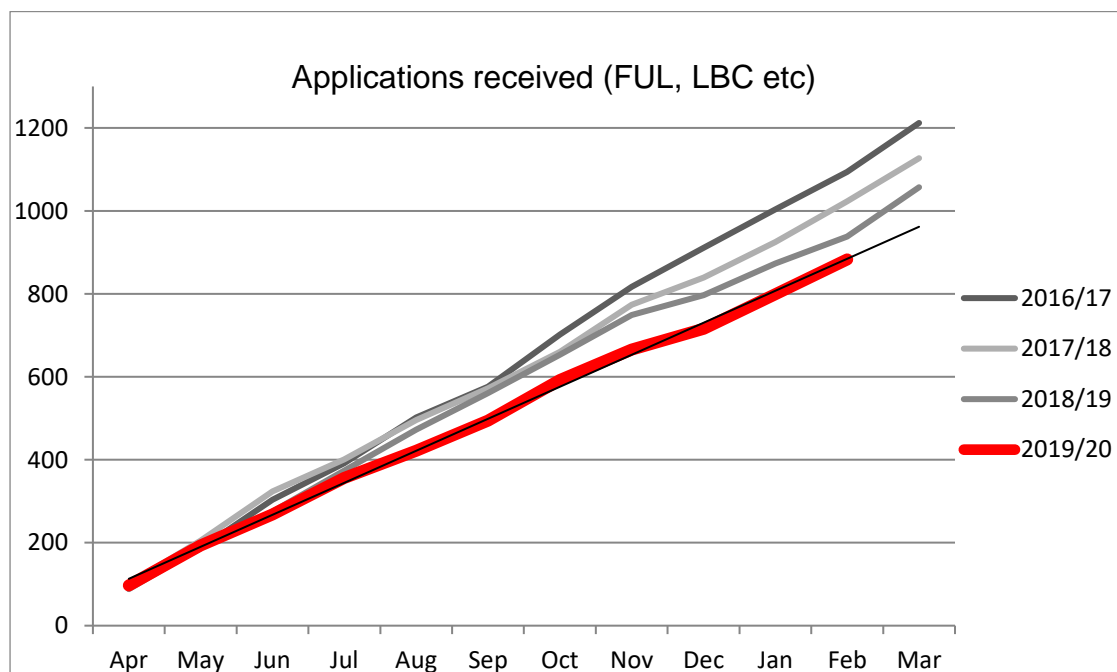
## Appendix B

<b>Committee:</b> Ordinary Council	<b>Date:</b> 25 March 2020
<b>Subject:</b> Chairs report for Planning and Licensing Committee	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr Olivia Sanders	
<b>Report of:</b> Phil Drane, Director of Planning and Economy	<b>Public</b>
<b>Report Authors:</b> Name: Caroline McCaffrey, Development Management Team Leader Telephone: 01277312500 E-mail: caroline.mccaffrey@brentwood.gov.uk  Name: Phil Drane, Director of Planning and Economy Telephone: 01277312500 E-mail: philip.drane@brentwood.gov.uk	<b>For Decision</b>

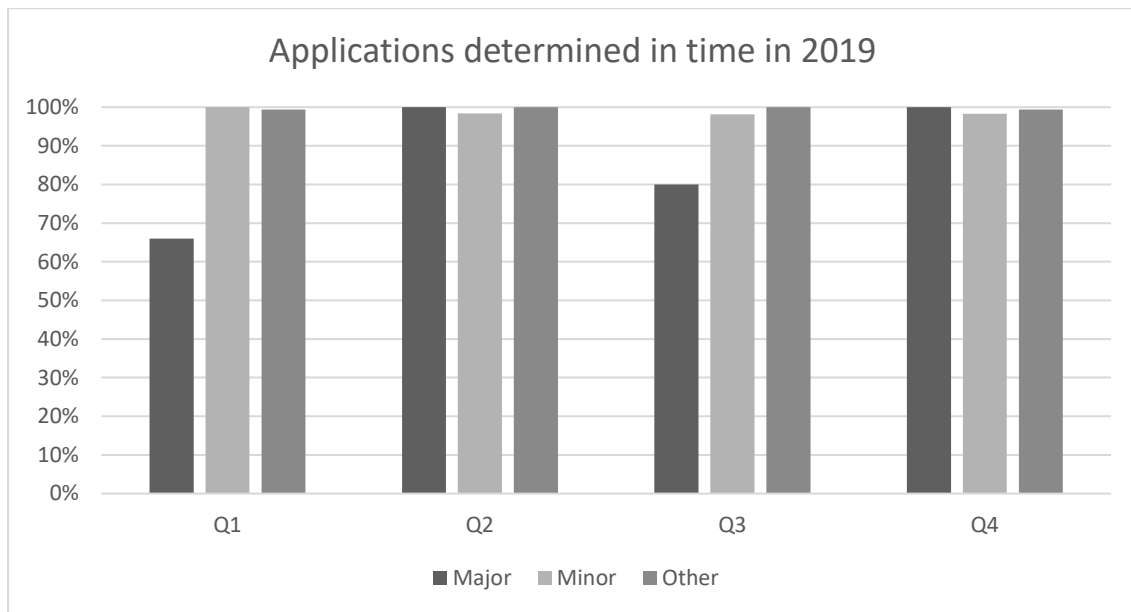
### Planning Development Management Update

Development Management:

The reduction in the total number of all applications (including conditions discharge etc) received between April and January has reduced to 12% less than the same time last year and the reduction in the narrower measure of applications (FUL, LBC etc) has dropped slightly to 5.9% down on the same period last year (see chart below).



The percentage of planning applications decided within time remains at around the highest levels recorded for the department (see chart below). This performance remains close to the highest figures achieved across the country.



As well as monitoring the speed of determination applications, the Secretary of State also operates a 'quality' assessment of decisions – effectively an appeal decision failure rate. The rate of 'lost' appeals remains very low and comfortably below national limits – for both Major and non Major developments. Officers continue to focus on ensuring this is the case as those planning authorities that exceed the maximum rates risk losing control over determining future applications and possible intervention by the Secretary of State to raise performance. There is no danger of that occurring in Brentwood although this requires ongoing vigilance. Overall about four out of five appeals since April have been dismissed.

There are an increasing number of larger developments coming forward as pre application discussions and applications with more to come in relation to the emerging local development plan. This is partly the reason that planning income is above target, and revised pre app fees and charges were agreed at the January P&L committee and will be implemented from April onwards.

### **Planning and Licensing Fees and Charges**

The Committee approved changes to Planning and Licensing charges for 2020/21. These were incorporated into the budget setting process approved at Ordinary Council on 4 March 2020.

### **Response to Castle Point Local Plan**

The committee approved a response to Castle Point Borough Council's Pre-Submission Local Plan (Regulation 19) consultation. The response set out support for steps to prepare a plan that seeks to meet local development needs, but raised several questions regarding the methodology used to calculate this and the ability to deliver this many new homes. Both councils are partners in the Association of South

Essex Local Authorities (ASELA) and so cooperation with each other's plan-making processes is important.

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## Appendix C

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 25 March 2020
<b>Subject:</b> Chairs report for Policy, Resources and Economic Development Committee.	<b>Wards Affected:</b> All
<b>Committee Chair:</b> Cllr James Tumbridge	
<b>Report of:</b> Cllr Tumbridge	<b>FOR INFORMATION</b>

There has been one Policy, Resources and Economic Development Committee since the last Ordinary Council.

### **Budget 2020/21**

The Policy, Resources and Economic Development Committee considered the budget report to make recommendations to Ordinary Council for Approval on 4<sup>th</sup> March 2020.

This report considered

- (i) The General Fund budget proposals for 2020/21 to 2022/23, including the medium term financial strategy.
- (ii) The Council Tax Requirement for 2020/21
- (iii) The Housing Revenue Account (HRA) budget proposals for 2020/21 onwards.
- (iv) The Capital and Investment Strategy for 2020/21 including the Councils Capital Programme 2020/21 to 2022/23
- (v) Fees & Charges
- (vi) Pay Policy Statement
- (vii) Section 151 Officers Assurance Statement

The figures presented summarised the detailed service budgets, together with known adjustments including the impact of the provisional central government grant funding.

The key elements of the proposed budget are:

#### General Fund

- 1) A balanced budget to be set for 2020/21
- 2) An increase in Council Tax for 2020/21 of £5 for band D property, in order to deliver the required investment outlined within the corporate strategy.
- 3) The continuation of reduction in funding made available by Central Government

#### Housing Revenue Account

- 1) For 2020/21 a budget that delivers a small surplus of £87k.
- 2) Increase in rents of CPI plus 1% per annum

- 3) Continued investment in the delivery of Decent Homes and Development of Housing within the Borough.

#### Capital

- 1) Total additional capital investment of £10,564 million in 2020/21
- 2) With an additional investment of £14,724 from 2021 to 2023.

#### **Economic Development Update**

An update was provided to the committee regarding the following items:

- 2020 Brentwood Business Showcase: Opportunities to reinvent the showcase have been identified, including bringing the date forward to 9 July to create more outdoor floorspace. The layout, keynote speakers, workshops and featured sectors are also being reviewed.
- Economic Development Study: Work on the study is progressing and the committee was to be presented with recommendations from the work on 18 March. Outcomes will inform a new Economic Development Strategy for the Council.
- Place Audit of Brentwood, Shenfield and Ingatestone: The audits had been co-commissioned with partners Brentwood Chamber and Brentwood Business Partnership. Workshops, interviews, on-site visits and desktop research are underway. Outcomes will inform a new Economic Development Strategy for the Council.
- Brentwood Fibre First Programme: Openreach are building a new, faster, more reliable and future-proof broadband network in the borough. This new network will deliver fibre optic cables from the local exchange to residents' and business' front doors. Openreach has chosen Brentwood Borough as one of the first places to benefit from full fibre. The Council will continue to engage with relevant partners to identify how best to support the roll out of business infrastructure.
- Engagement with Local Employers: The Chief Executive has been connecting with local businesses, specifically the borough's largest employers (including McColl's, BT, Liverpool Victoria, Shawbrook Bank and Countryside). The Council also promoted the new Corporate Strategy in a presentation to the Brentwood Chamber on 14 February.

#### **Members Training Programme Update**

Members were updated them on the Member's Training Programme and the progress made with Member Development.

## **King Georges Playing Fields – Development Management Agreement**

Following planning permission being granted, the Council needs to procure a building contractor to deliver the project. It is proposed that the Council utilises the UK Leisure Framework Agreement to do this. The Council has already used the framework to undertake the feasibility works and to gain the Council Cost Certainty for the project.

It was agreed that the Council enters into a Development Management Agreement with Alliance Leisure Services, through the UK Leisure Framework, and delegate to the Chief Executive, in consultation with the Chair of Community & Health Committee and the Leader of the Council, to conclude all arrangements, for the construction of the King George's Playing Fields development.

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<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 25th March 2020
<b>Subject:</b> Honorary Titles	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew, Corporate and Democratic Services Manager	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew – Corporate and Democratic Services Manager Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For Decision</b>

## Summary

To confer honorary titles under section 249 of the Local Government Act 1972.

## Recommendation(s)

**Members are asked:**

- R1. That, in pursuance of section 249(5) of the Local Government Act 1972 and in recognition of being a person of distinction and a person who has, in the opinion of the Council, rendered eminent services to the Borough, the Council admits Deputy Lieutenant of Essex, Mr Dennis Rensch OLM MBE to be Honorary Freeman of the Borough.**
- R2. The presentation of this Honorary Title will take place at Annual Council on 20<sup>th</sup> May 2020.**

## Main Report

### **Introduction and Background**

1. The titles of 'Freeman of the Borough/Freewoman of the Borough/ Freedom of the Borough and Aldermen' are as the names suggest honorary when the Council recognises distinguished service to the Borough.
2. Holders of such titles may attend and take part in such civic ceremonies as the Council may from time to time decide, but shall not, as such, have the right to attend meetings of the Council or their Committees or to receive any allowances or other payments.

3. The title is honorary only and is one of the highest honours that the Council can bestow.
4. It is through this means that organisations are awarded the Freedom of the Borough. Traditionally this honour is associated with the right of Freedom of Entry for military units with the right to march, with bayonets fixed, band playing and colours flying.

### **Issue, Options and Analysis of Options**

5. To be eligible to be admitted as an Honorary Freewoman or Honorary Freeman, those nominated must be persons of distinction and persons who have, in the opinion of the Council, rendered eminent services to the place or area i.e. the Borough.
6. Again there is no definition in the Act other than the words used. It is thus for the Council to decide locally what constitutes “distinction”.
7. “Distinction” has a dictionary meaning of ‘a marked difference or contrast’ or ‘excellence that sets someone apart from others’.
8. “Eminent services” need to relate to the Borough, not the Council, in the context of whether to admit as an Honorary Freewoman or Honorary Freeman.
9. The Freedom of the Borough with the traditionally associated Freedom of Entry is nowadays achieved through the use of section 249 of the Local Government Act 1972 to admit the organisation to the honorary title of ‘Freewoman or Freeman’ of the Borough.

### **Reasons for Recommendation**

10. The Council wishes to recognise those who merit the highest awards that the Council can bestow on a person or organisation.

### **Consultation**

11. Members were asked to put forward suitable nominations.

### **References to Corporate Plan**

12. None.

## **Implications**

### **Financial Implications**

**Name & Title:** Jacqueline Van Mellaerts, Director of Corporate Resources

**Tel & Email:** 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

13. There are no direct financial implications with this report. If necessary, the Council will utilise existing budgets and resources available within service area.

### **Legal Implications**

**Name & Title:** Amanda Julian, Director of Law and Governance

**Tel & Email:** 01277 312705/amanda.julian@brentwood.gov.uk

14. Section 249(5) of the Local Government Act 1972 enables the Council by resolution to admit as an Honorary Freewoman/Honorary Freeman/Freedom of the Borough at a meeting of the Council specially convened with notice of the object but under section 249(8) of that Act such a resolution must be passed by not less than two-thirds of the Members voting at that meeting if the resolution is to be effective.
15. The relevant criteria are set out in the body of the report.

### **Economic Implications**

**Name/Title:** Phil Drane, Director of Strategic Planning

**Tel/Email:** 01277 312610/philip.drane@brentwood.gov.uk

16. There are no economic implications.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

17. None.

**Background Papers** (include their location and identify whether any are exempt or protected by copyright)

18. Nomination forms submitted.

### **Appendices to this report**

19. None.



<b>Committee:</b> Ordinary Council	<b>Date:</b> 25 March 2020
<b>Subject:</b> Notices of Motion	<b>Wards Affected:</b> All
<b>Report of:</b> Jean Sharp – Governance and Member Support Officer	<b>Public</b>
<b>Report Author/s:</b> Name: Jean Sharp - Governance and Member Support Officer Telephone: 01277 312655 E-mail: jean.sharp@brentwood.gov.uk	<b>For Decision</b>

## Summary

Six Notices of Motion have been submitted in accordance with Rule 3 in Part 4.1 of the Constitution - Council Procedure Rules and are listed in order of the date received.

1. Cllr Chilvers submitted the following Notice of Motion:  
(Deferred from Ordinary /council on 22<sup>nd</sup> January)

*Fireworks cause considerable distress to our pets, wildlife and livestock. In addition, they cause distress to the sick, vulnerable and those with mental health issues. There are also concerns over their environmental impact.*

*There are alternatives such as silent fireworks and drone light shows. With Brentwood residents contacting us regularly with their concerns and major supermarket chains halting their sale, it is surely time to review the use of traditional, outdated fireworks and look for a new way to celebrate in 2020.*

*Unfortunately, councils' powers are limited. Stopping their sale has no impact as people can buy elsewhere and restricting them by licensing powers covers barely any fireworks events as most are private. Licensing officers advised that major reform can only be made at parliamentary level. Therefore, Brentwood Council resolves to write to Alex Burghart MP to request that he formally engages with the RSPCA (the organisation campaigning to change fireworks legislation) and report back within six months.*

**Proposed by Cllr Chilvers**

**Seconded by Cllr Mrs Davies**

2. Cllr Aspinell submitted the following Notice of Motion:

*In February 2020 the National Audit Office said "Local authorities face potential investment risks from buying commercial property, such as in the event of an economic recession or a downturn in a particular economic sector, particularly where authorities are dependent on their rental income to keep up with debt repayments or fund local services"*

*In the light of National Audit Office concerns, members of Brentwood Borough Council call upon the officers to produce a report into the risks, rewards and relationship between Brentwood Borough Council and its' wholly owned company Seven Arches Investment Limited. The report to be submitted to the next Policy Resources and Economic Development Committee.*

**Proposed by Cllr Lewis**

**Seconded by Cllr Mynott**

3. Cllr Dr Barrett submitted the following Notice of Motion:

This council notes:

- *At the annual council meeting June 2019 we approved the Member Parental Leave Policy and Carers allowance to ensure that Members are able to take appropriate leave at the time of birth or adoption.*
- *Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.*
- *On 28 January 2019, the House of Commons agreed to the use of proxy voting in House, for parental absence (available to new mothers, new fathers, adoptive parents and for members who have suffered a miscarriage for a set period of time)*
- *The Welsh assembly is considering introducing proxy voting for long-term illness and other caring responsibilities.*
- *Schedule 12, para 39 (1) of the Local Government Act 1972 restricts local authority decisions to voting by members present at a meeting of that authority, making local government incongruous with others elected to public office.*

*This council resolves:*

*The council writes to the Secretary of State for Housing, Communities and Local Government requesting a review and relevant amendment of Schedule 12, para 39 (1) of the Local Government Act 1972 and other appropriate statutes that currently prevents this council from considering options for proxy voting in certain specific circumstances.*

**Proposed by Cllr Dr Barrett**

**Seconded by Cllr Barrett**

4. Cllr Dr Barrett submitted the following Notice of Motion:

*This council commits to protect and maintain the public amenity of a community hall and playpark (currently on Maple Close) within the Three Arch Bridge estate.*

**Proposed by Cllr Dr Barrett**

**Seconded by Cllr Barrett**

5. Cllr Hossack submitted the following Notice of Motion:

*That this Council initiates the establishment of an Officer Task Group for the transition of Shenfield Library, between Brentwood Brough Council and Essex County Council, to cover a range of items including but not limited to:*

- *Planning and design of new building proposals*
- *Services to be offered from the new Library hub*
- *Arrangements for interim library service provision*
- *Cost implications to Brentwood BC*

*And that updates from this task group will be brought to members of this Council at the appropriate time and in the appropriate forum.*

**Proposed by Cllr Hossack**

**Seconded by Cllr Mrs Pound**

6. Cllr Hossack submitted the following Notice of Motion:

*That this Council upholds the highest standards of conduct including dressing appropriately for Council Committees, meetings and Civic occasions. I request that officers undertake the necessary work to ensure that those standards that apply to officers also apply to members, in the spirit of shared values.*

*In particular those set out in the Constitution at page 151:*

- *2.2 regarding dress not to be offence to any groups slogans or badges*
- *2.3 smart business dress*
- *2.5 drugs and alcohol prohibition*
- *2.6 smoking observing the no smoking policy.*

**Proposed by Cllr Hossack**

**Seconded by Cllr Tumbridge**

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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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