



Agenda

Ordinary Council

Wednesday, 16 September 2020 at 7.00 pm

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

Membership (Quorum – 10)

Cllrs 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, Kerlake, Laplain, Lewis, McCheyne, McLaren, Mrs McKinlay, Morrissey, Mynott, Naylor, Nolan, Parker, Mrs Pearson, Poppy, Mrs Pound, Reed, Tanner, Tierney and Tumbridge

Substitute Members

Cllrs

Agenda

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Live Broadcast

[Live broadcast available from 7pm.](#)

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8. Committee Chairs Reports and Members Questions

9. Notices of Motion

10. Urgent Business

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.

11. Investment proposal
Exempt report.

A handwritten signature in black ink, appearing to read 'J. Stephenson', is centered on a light blue rectangular background.

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
01.09.2020

Information for Members

Please note the changes in blue apply to remote meetings

Introduction

The Government has enacted The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 no 392 (the Regulations) which came into force on the 4 April 2020 and will remain in force until the 7 May 2021.

The Council will hold Committee meetings remotely and enable the public to participate by streaming those meetings that are open to the public.

Only those Committee meetings where the public have a right to speak will the facility be available to enable them to participate where the technology is not available for them to exercise this right then their participation will be by written communication read out at the remote meeting.

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 member may remotely attend any Committee to which these rules apply.

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	Personal Explanation	Point of Information or clarification
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.	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.	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.

 Access to Information and Meetings

You have the right to **remotely** 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 will be holding remote Committee meetings and will make these accessible to the public remotely by being recorded and streamed. Whilst the Regulations apply the following paragraphs will not apply to the meetings of the Council.


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.

The Chair or Clerk to the Committee will disconnect all persons who should leave the meeting prior to continuing there will be a short break to ensure that this has happened.

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  Access

The Council will provide remote access for public participation by the meeting be accessible.

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

This procedure does not apply whilst using remote meetings

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



Minutes

Ordinary Council Wednesday, 22nd January, 2020

Attendance

Cllr Parker (Mayor)	Cllr Kendall
Cllr Ms Sanders (Deputy Mayor)	Cllr Kerlake
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, Kerlake, 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 its 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 19th 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

Minutes

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 Kerlake	

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 Mellaerts	Van -	Director of Corporate Resources

389. Apologies for Absence

Apologies were received from Cllrs Chilvers, Clarke, Kerlake, 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 12th 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.

The meeting ended at 8.30pm

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Minutes

Extraordinary Council Wednesday, 29th April, 2020

Attendance

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

Apologies

Cllr Poppy

Officers Present

Amanda Julian	- Director of Legal Services and Monitoring Officer
Claire Mayhew	- Corporate and Democratic Services Manager
Jonathan Stephenson	- Chief Executive
Steve Summers	- Chief Operating Officer

439. Apologies for Absence

Apologies were received from Cllr Poppy.

440. Declaration of Interest from Members and Officers

No declarations of interest were made.

441. Emergency Committee

The CEO, Jonathan Stephenson, introduced the report and reminded Members of the purpose of the meeting which related to preparatory work needing to be undertaken to ensure that Council business and decision making could continue in the unprecedented current situation brought about by the COVID19 pandemic.

The Coronavirus Act 2020 [the Act] had received Royal Assent on the 25 March 2020, and s78 gave the Secretary of State the power to make regulations to govern the way local authorities held meetings. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 [the Regulations] came into force on the 4 April 2020. These Regulations enabled local authorities to hold remote meetings and for attendance at these meetings to be attendance for the purposes of the Constitution.

Suggested changes to the Council's Rules of Procedure were attached to the report at Appendix D.

The report recommended the convening of an Emergency Committee and the powers that this would take on and how this would work in these unprecedented times. This committee would consider emergency and business continuity items and would operate until the council had the dedicated resources available to support the reintroduction of a full committee structure.

Proposed Terms of Reference were attached to the report at Appendix A. Members were also asked to consider the suspension of the six-month rule in relation to Members attending meetings and the approval of the proposed calendar of meetings for 2020/21 at Appendix B.

Cllr Hossack **MOVED** and Cllr Aspinell **SECONDED** the recommendations in the report.

Cllr Hirst **MOVED** and Cllr McCheyne **SECONDED** an **AMENDMENT** to Recommendation 1 as follows:

To delete from Paragraphs 7 and 8 of the Terms of Reference (Appendix A) for the Emergency Committee "Planning and Licencing", and to delete Paragraph 9.

Cllr Hossack **DID NOT ACCEPT** the **AMENDMENT** and following a debate Members voted and the **AMENDMENT** was **LOST**.

Cllr Hirst **MOVED** and Cllr McCheyne **SECONDED** a second **AMENDMENT** to Recommendation 1 as follows:

To add to the Terms of Reference (Appendix A) for the Emergency Committee an additional paragraph - Paragraph 14 to read: "For clarity, the

Emergency Committee may not change the decisions made at the meeting of Extraordinary Council on 29 April 2020."

Cllr Hossack **DID NOT ACCEPT** the **AMENDMENT** and following a discussion Members voted and the **AMENDMENT** was **CARRIED**, becoming part of the **SUBSTANTIVE MOTION**.

Cllr Hirst **MOVED** and Cllr McCheyne **SECONDED** a third **AMENDMENT** to remove Recommendation 3, as follows: *To agree to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they serve, pursuant to Section 85 (1) of the Local Government Act 1972. This will be reviewed by the Monitoring Officer on a monthly basis, and will follow the Government guidance and legislation when determining if it no longer apply.*

Cllr Hossack **DID NOT ACCEPT** the **AMENDMENT** and following a debate Members voted and the **AMENDMENT** was **LOST**.

Cllr Mynott expressed concern at the disproportion in the allocation of seats between political groups in the proposed Emergency Committee and **MOVED** and Cllr Aspinell **SECONDED** that membership be increased to 10 from 9. Having consulted with the Monitoring Officer Cllr Hossack **ACCEPTED** the **AMENDMENT** to include wording in the relevant recommendation to reflect this change in membership of the Emergency Committee.

Cllr Dr Tim Barrett **MOVED** and Cllr Morrissey **SECONDED** an **AMENDMENT** that any constitutional changes made at this meeting be reviewed at the 7 October 2020 Ordinary Council meeting should it take place.

Cllr Hossack **ACCEPTED** the **AMENDMENT** and it became part of the **SUBSTANTIVE MOTION**.

Following further discussion Cllr Hossack proposed to insert some additional wording in the recommendations. Members voted and it was **RESOLVED**:

1. **To agree the Terms of Reference (Appendix A) for the Emergency Committee.** *(Appended to these minutes for clarity).*

Subject to the inclusion of:

Paragraph 14, add: "For clarity, the Emergency Committee may not change the decisions made at the meeting of Extraordinary Council on 29 April 2020.

To agree the Terms of Reference (Appendix A) to change the membership of the Emergency Committee from 9 to 10, to reflect the political balance at the time of calling the meeting. That the Monitoring Officer is given delegated authority to make the consequential amendment to the Terms of Reference

2. **To agree to include the Emergency Committee within the Council Constitution at Chapter 3 at 2.10 and to agree the changes of the Council's Rules of Procedure at Part 4 of the Constitution as set out in Appendix D and that these changes will be reviewed at the**

***Ordinary Council (should it convene as planned) on
7th October 2020.***

3. To agree to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they serve, pursuant to Section 85 (1) of the Local Government Act 1972. This will be reviewed by the Monitoring Officer on a monthly basis, and will follow the Government guidance and legislation when determining if it no longer apply.
4. To agree the proposed calendar of meetings for 2020/21 (Appendix B).
5. To agree the holding of remote meeting in compliance with the Regulations for as long as it necessary. The Regulations are time barred and cease to have effect on the 7 May 2021, unless extended by further legislation.
6. To agree the Chief Executive to summons remote meeting as necessary and develop the required protocols and procedure to hold remote meeting.

442. Urgent Business

There was one matter of urgent business before Members which the Deputy Mayor had accepted under Part 4 of the Constitution paragraph 2.5(e), that this matter be considered by reason of special circumstance, this being that the country was currently experiencing a pandemic, the Government had passed the Coronavirus Act 2020 and The Local Government Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) Regulations 2020 (the Regulations) which enabled the Council not to hold an Annual Council meeting.

As no Annual Council Meeting would be held this year, the appointments from the 2019 Annual Council meeting would continue unless a Member retired or stepped down from being a Chair, Vice Chair, Leader or Deputy Leader.

The Leader had continued in position but due to stepping down of the Deputy Leader, the Conservative Group had put forward Cllr Keith Parker for the role.

Cllr Hossack **MOVED** and Cllr Nolan **SECONDED** that Cllr Parker should be appointed as Deputy Leader of the Council with immediate effect and it was **RESOLVED** accordingly.

The meeting ended at 22.14 hours.

443. Appendix A - Terms of Reference for Emergency Committee (*overleaf*)

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APPENDIX A: EMERGENCY COMMITTEE - TERMS OF REFERENCE

PURPOSE

To enable the Council to function in emergency situations when fewer Councillors and /or Officers are available to attend meetings.

There will be no informal meetings of the Emergency Committee called.

The Committee will be convened, as required, as part of the Borough Council's Major Incidents and Emergency Planning process.

The decision to convene the Committee will be made by the Chief Executive through consultation with the Leader and after the Monitoring Officer has assessed the appropriateness of taking a particular report to the Committee. The decision will be recorded on the agenda. Only decisions that cannot be deferred will be taken to the Committee.

The Agenda will include a Statement of Purpose for the Committee being convened and will record reasons why the decision being sought could not be deferred, there will be a clear statement of what the Committee will be discussing.

Equally a proposal to stand down the Committee will be brought by the Chief Executive through consultation with the Leader to each Committee, and after obtaining such advice as necessary from the Monitoring Officer or their deputy as appropriate, such proposal to stand down the Committee will be decided by a majority vote of members at the meeting. All members of the council will also have the ability to influence the decision to stand down the committee. This can be undertaken by at least a third of councillors writing to the Chief Executive and the Monitoring Officer requesting the committee stands down. If this action is taken, then the reinstatement of the full committee structure will take place or an extraordinary council meeting can be called to debate any other emergency governance models required to enable the council to function lawfully.

Once the Committee is convened it can take on the role of the delegations afforded to the following:

Council emergency functions only
Policy Resources & Economic Development,
Environment, Enforcement & Housing,
Community & Health,
Planning & Licensing

Audit & Scrutiny Committee – ONLY with regard to the development of any emergency budget that may be required or to sign off the Annual Accounts if this could not be brought to Audit & Scrutiny Committee.

The intention, where possible, is to still undertake Planning & Licensing and Audit & Scrutiny Committees separately when required and appropriate. This will be decided by the Chief Executive through consultation with the Leader, and Monitoring Officer. These powers can be in full or in part.

All members sitting on the Committee will have the appropriate Planning and Licensing Training prior to the consideration of any item, relating to planning and licensing, being presented at this committee.

The Committee will only undertake decisions that relate to the budgetary function of the Council and if there is a statutory reason that an urgent decision is needed and the Audit & Scrutiny Committee cannot be convened for whatever reason.

Any decisions made by the Emergency Committee may be subject to the scrutiny of the Audit & Scrutiny Committee when it is next convened.

Officer delegations will remain as per the Constitution.

The Committee will also meet as required and consider the immediate strategic issues for the Borough Council arising from the incident, having received reports from the Chief Executive.

The Emergency Committee may authorise action affecting any of the Borough Council's functions if the urgency of the situation demands this. Subject to such action being reported, together with the Committee's reasons for acting, to the next meeting of Full Council.

The Committee must ensure that steps are being taken to provide, to members of the public and the press, regular communications on the incident and the action being taken.

- Members of the Committee are to be suitably briefed and prepared to make appropriate statements to the media if required in consultation with the Councils' communications manager.
- The Committee should consider the longer-term implications arising from the incident and the impact these may have on the Borough Council.
- Emergency Committee may not change the decisions made at the meeting of Extraordinary Council on 29 April 2020.

The minutes to any Emergency Committee will be published no later than three working days after the meeting.

MEMBERSHIP

The Committee shall consist of 10 named Members of the Borough Council, to include:

- Leader of the Council and Chair of Policy, Resources & Economic Development (who will be the Chairman of this Committee)
- Vice-Chairman of Policy, Resources and Economic Development
- The Chairman of the Community & Health Committee
- The Chairman of the Environment, Enforcement & Housing Committee
- The Leaders of all groups
- Other named members to achieve a political balance

If there is a change of political balance on the Council, this composition will be recalculated by the Proper Officer and amended accordingly.

Succession arrangements are key and for clarity it is confirmed that formal delegations between Councillors will ensure continuity of the Committee. Substitutes for this committee will be submitted in writing by Group Leaders to the Chief Executive and Monitoring Officer ahead of the first meeting and updated for future meetings where necessary.

QUORUM

The minimum number of members to transact any business shall be one third (3) of the committee.

PROCEDURES, PROTOCOLS AND PUBLIC SPEAKING

Except as provided below, the Chairman shall be responsible for maintaining order and the effective conduct of business at meetings.

Any member of the Council can attend and may speak on any issue once, as agreed through the Chairman, in line with the legislation in force at the time.

Members of the public and press will be provided with the means to attend the meeting and have access to agendas, reports and other documents necessary under the legislative provisions current at the time of calling the meeting(s).

QUESTIONS

Members may ask questions to the Chair in the usual way. If the meeting is virtual then the questions will be put in writing via the appropriate text/chat box. The Chair may read the question and provide a written or verbal response as appropriate.

VOTING

When Members are present at the meeting voting will be taken by a show of hands. If Members are not present i.e. remotely using technology, a recorded vote will be taken by the clerk.

In the event of an equality of votes, the Chairman shall have a second or casting vote.

TRAINING

All training requirements for the Committee will be ensured to enable them to undertake the delegations afforded to them when undertaking the role of another Committee.

Minutes

Extraordinary Council Wednesday, 22nd July, 2020

Attendance

Cllr Aspinell	Cllr Laplain
Cllr Barrett	Cllr Lewis
Cllr Dr Barrett	Cllr McCheyne
Cllr Bridge	Cllr McLaren
Cllr Chilvers	Cllr Morrissey
Cllr Clarke	Cllr Mynott
Cllr S Cloke	Cllr Naylor
Cllr Mrs Davies	Cllr Nolan
Cllr Fryd	Cllr Mrs Pearson
Cllr Mrs Fulcher	Cllr Poppy
Cllr Haigh	Cllr Mrs Pound
Cllr Hossack	Cllr Reed
Cllr Jakobsson	Cllr Tanner
Cllr Keeble	Cllr Tierney
Cllr Kendall	Cllr Tumbridge
Cllr Kerlake	

Apologies

Cllr Ms Sanders (Deputy Mayor)	Cllr Mrs Hones
Cllr J Cloke	Cllr Mrs McKinlay
Cllr Hirst	

Officers Present

Zoey Foakes	-	Governance & Member Support Officer
Amanda Julian	-	Director of Legal Services and Monitoring Officer
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

465. To appoint a Member to preside at the meeting if the Deputy Mayor is not present and able to preside

Cllr Hossack **MOVED** and Cllr McLaren **SECONDED** that Cllr Parker should chair the meeting in the absence of the Deputy Mayor, Cllr Miss Sanders. A vote was taken and it was **RESOLVED** accordingly.

466. Apologies for Absence

Apologies were received from Cllrs J Cloke, Hirst, Mrs Hones, Mrs McKinlay and Miss Sanders.

467. Declaration of Interest from Members and Officers

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

468. Update report from the Association of South Essex Local Authorities (ASELA)

Members were reminded that in early 2018 the Council signed a Memorandum of Understanding to work together with other local authorities in South Essex through a partnership collectively known as the Association of South Essex Local Authorities (ASELA).

The work of ASELA had been overseen by ongoing governance that had included monthly meetings of the Leaders and Chief Executives of the Partner Authorities.

The purpose of the report before Members was to present an update report from ASELA which was attached as Appendix A and included three enclosures.

The update report recommended that the Partner Authorities:

- I. Note ASELA's intention to immediately engage with Central Government ahead of the autumn Spending Review regarding the economic agenda for the South Essex region, how it could deliver new jobs, new transport infrastructure, new homes, and the future governance arrangements to deliver better outcomes for its existing, and new, residents and businesses as set out in the 'Growth and Recovery Prospectus 2020' at Enclosure No. 2;
- II. Note the work commenced by ASELA to begin to consider and explore the most appropriate and effective future governance arrangements to realise South Essex's full economic and social potential and shared ambitions as set out in the independent Review of Governance in South Essex at Enclosure No. 3. This report does not seek approval or endorsement of any specific governance proposals; and

- III. Note that a further report would be presented to Councils later in the calendar year to provide an update on the outcome of the discussions with Central Government and any proposals for more formal interim governance arrangements for ASELA to ensure transparency and accountability.

Cllr Hossack introduced the report and made a presentation for Members' information.

Members expressed their views regarding the report from ASELA and noted the contents.

469. Revised Calendar of Meetings

Members were reminded that in light of the announcement by the Prime Minister on the 23rd March 2020, the Constitution had been reviewed to ensure that the Council was able to continue to operate and make the decisions needed.

The normal committee cycle was agreed at the Extra Ordinary Council Meeting held on 29th April 2020 with the proposal to start in October at the earliest.

Due to recent Government guidance this decision had been reviewed and a revised Calendar of Meetings had been prepared to replace that previously agreed at Council with the proposal to hold an Ordinary Council together with a Policy, Resource and Economic Development meeting in September. The proposed revised calendar was attached to the report as Appendix A.

Cllr Hossack **MOVED** and Cllr Bridge **SECONDED** the recommendation in the report, a vote was taken and it was **RESOLVED UNANIMOUSLY:**

That the revised Calendar of Meetings attached as Appendix A for 2020/21 be approved (*Appended to these minutes for information*).

470. Urgent Business

There were no items of urgent business but Cllr Hossack provided an update for Members on the situation regarding the temporary partial closure of the High Street to traffic.

The meeting ended at 9.50pm

471. Appended - Revised Calendar of Meetings

APPENDIX A – REVISED CALENDAR OF MEETINGS 2020/21

Notice of Meetings 2020/2021
LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

NOTICE IS HEREBY GIVEN that the following meetings, open to the Public and Press, will be held remotely this will be reviewed on a monthly basis:

	Day	Time	April 2020	May 2020	June 2020	July 2020	August 2020	September 2020	October 2020	November 2020	December 2020	January 2021	February 2021	March 2021	April 2021	May 2021
Emergency Committee	TBC	19:00		TBC	5th	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
Annual Council	Wednesday	19:00														19th
Ordinary Council/Extra Ordinary Council (1st Wed of Month)	Wednesday	19:00	29 th (EOC)			22 nd (EOC)		16th	7 th (if required)		2nd	13th	24 th (Budget)	10th		
Audit and Scrutiny Committee (Last Tues in Month)	Tuesday	19:00				28th			27 th			26th		23rd		

Environment, Enforcement and Housing Committee (2nd Tues in Month)	Tuesday	19:00							13 th		8 th			9 th		
Community and Health Committee (3rd Tues in Month)	Tuesday	19:00							20 th		15 th			16 th		
Planning and Licensing Committee (2 nd Wed of Month)	Wednesday	19:00		13 th	10 th	8 th		2 nd	14 th	11 th	9 th	6 th	10 th	3 rd		
Policy, Resources and Economic Development Committee (3 rd Wed in month)	Wednesday	19:00						9 th	21 st	18 th	16 th	20 th (Budget)	17 th	17 th		

Dated this 22nd July 2020

J. STEPHENSON
 CHIEF EXECUTIVE
 (Proper Officer for the purposes of Part VA of the Act)

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Agenda Item 6

Committee: Ordinary Council	Date: 16 September 2020
Subject: Public Questions	Wards Affected: All
Report of: Jean Sharp	Public
Report Author/s: Name: Jean Sharp Telephone: 01277 312655 E-mail: jean.sharp@brentwood.gov.uk	For Information

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.

In light of the current restrictions due to the pandemic, members of the public are not allowed to enter the Town Hall therefore may attend Council meetings and put their questions remotely. Alternatively they may request that their questions are put to the relevant Member by the Deputy Mayor at an Ordinary Council meeting.

Every question asked pursuant to rule 11.1 of the Constitution shall be put and answered without discussion but the Member to whom the question has been put may decline to answer. An answer may take the form of a direct oral answer at the Council meeting or where there has been insufficient time to research an answer, a written answer will be sent to the questioner. Time for all questions from members of the public shall be restricted to 15 minutes in total. At the expiration of that period of time, any questions which have not been asked shall be answered in writing and the answer placed with the minutes.

Ms Susan Kordlandt had submitted two questions:

- 1. A positive effect of Covid 19 has been a reduction in carbon emissions in the Borough and a consequent improvement in air quality. As life returns to normal, what will the Council do to ensure these benefits are maintained?*
- 2. How does the Council find out when properties are converted to houses in multiple occupation and how frequently are physical checks made, to ensure registered HMO's are still in conformity with the regulations, eg additional rooms have not been added?*

Mrs Pat Smith had submitted two questions:

- 1. If a Brentwood resident writes (via email) to their two officially elected local Brentwood ward councillors and one councillor does not write back at all and the other writes one line only and nothing further, and neither take any action at all to assist the resident with their genuine and difficult problems relating to the council, what can the local resident do?*

It boils down to: What can Brentwood people who genuinely need support, actually expect of their local elected representatives?

2. The Brentwood Plan (Brentwood 2025) was presented at full Council on 22.01.2029. It claims boldly that Brentwood is where “everyone matters”, and it aims to:

*“Provide support for all residents, focusing on equality, understanding and respect”,
“Improve communication with residents via all communication channels”,
“Protect people especially the most vulnerable”,
“Work with local health organisations to develop health and well-being initiatives”,
“Support residents to maintain and improve their mental health”,
“Offer and signpost to programmes that reduce social isolation and support people to stay active and independent”.*

*Then Cllr Roger Hirst stood up to endorse this plan saying that we should “protect the vulnerable”, (please see webcast of the meeting of 22.01.2020.)
It contains no statistics for disabled people and carers.*

*The word “business” occurs 11 times and the word businesses occurs 10 times.
The word “vulnerable” appears once.*

A search cannot find the words “disabled” and “disability”, and the bold promises in this document belie the bleak reality for people with disabilities and their carers in Brentwood, made worse by central government austerity cuts, harsher assessments for welfare benefits, lack of any support anywhere, impotent charities, impossibility of obtaining social care, the prohibitive cost of social care for clients, lack of GP appointments and fewer NHS services, lack of access to legal aid, law centres and therefore justice, lack of mental health services, lack of autism services, plus the housing crisis.

In the light of the above, I would like to ask the following question please:

Where do people with disabilities come into this plan, in reality, will they be consulted and their views and needs properly taken on board, and how are these aims being, or to be, put into effect, with what exact targets and timescales.

Agenda Item 8

Committee: Ordinary Council	Date: 16 September 2020
Subject: Chairs' Reports and Members' Questions	Wards Affected: All
Report of: Jean Sharp	Public
Report Author/s: Name: Jean Sharp Telephone: 01277 312655 E-mail: jean.sharp@brentwood.gov.uk	For Information

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 Deputy Mayor.

Appendices to this report

Chairs Reports for Audit and Scrutiny Committee, Community and Health Committee, Environment, Enforcement and Housing Committee, Planning and Licensing Committee and Policy, Resources and Economic Development Committee will follow.

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Agenda Item 9

Committee: Ordinary Council	Date: 16 th September 2020
Subject: Notices of Motion	Wards Affected: All
Report of: Jean Sharp – Governance and Members Support Officer	Public
Report Author/s: Name: Jean Sharp - Governance and Members Support Officer Telephone: 01277 312655 E-mail: jean.sharp@brentwood.gov.uk	For Decision

Summary

Eight 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.

Motion 1 deferred from 22 January 2020 Ordinary Council meeting.

Received: January 5 01 20 @ 21:26

Proposer Cllr Chilvers, Seconder Cllr Davies

'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.'

Motion 2 Received: 17 08 20 @ 15:41

Proposer Cllr Kendall, Seconder Cllr Aspinell

This Council resolves to admonish the Conservative administration for bringing the Report regarding ASLEA proposals to an Extraordinary Council meeting on the 22 July 2020, rather than to an Ordinary Council meeting.

An Ordinary Council meeting would have enabled alternative motions, amendments and a vote to take place.

This report had potentially huge and far reaching implications for this Council and the people of Brentwood.

The Chamber believes the conduct of the administration on this matter is an affront to the democratic rights of the elected members of this Council, the residents of this Borough and a flagrant disregard for the democratic process.

Motion 3 Received 17 08 20 @ 15:41

Proposer Cllr Aspinell, Seconder Cllr Lewis

This Council resolves to direct the Leader of the Council, as our representative on the ASELA Group to inform the associated membership of ASELA that Brentwood Borough Council does not wish to be involved in any physical formation of a larger combined authority that constitutes ASELA. Moreover, Brentwood Borough Council does not recognise ASELA's right to speak on behalf of Brentwood, or its residents, on the formation of such an authority.

Motion 4 Received 18 08 20 @ 13:13

Proposer Cllr Hossack, Seconder Cllr Parker

This council recognises the significant Local Government Reform agenda and acknowledges that membership of ASELA has brought benefits to Brentwood. Further, acknowledges the Government's own identification of South Essex as a place of "huge potential" and the ability "of the Estuary area more widely to drive growth locally and nationally. It is a unique place with unique potential"

Brentwood's geographic location is unique, bordered to the north by Epping and Chelmsford and to the south by Basildon and Thurrock.

This council recognises at some point Brentwood will likely sit under a Unitary Authority, with an overarching Combined Authority.

Presently it is unclear how the boundaries for any new authorities will be drawn and how much influence the Districts and Boroughs will have.

If Brentwood can influence the alignment process, Council Members should keep options open to see what possibilities emerge as the best deal for Brentwood and its residents, based on hard facts and available evidence.

The Council therefore notes that the Leader has been in dialogue with fellow Leaders in ALL surrounding authorities and notes also the Leader's intention to commission reports that will provide an options analysis and evidence base to support any future decisions by this Council

Motion 5 Received 18 08 20 @ 13:13
Proposer Cllr Nolan, Seconder Cllr Tanner.

In order to further drive transparency, this council moves to make it much clearer on our website, how individual members of this council are remunerated, this information will include:

- Basic Allowances
- Special responsibility allowances
- Expenses (where claimed)
- Other Allowances (for example carers allowance)
- Payment for services (where members with business interests have provided services to this council)

This information should be back dated for 5 years.

This transparency improvement should also form part of an overall project to improve the data source reports on the Council's website.

Motion 6 Received 21 08 20 @ 14:16
Proposer Cllr Lewis Seconder Cllr Aspinell

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 the National Audit Office concerns and the United Kingdom now being in severe economic recession, this Council resolves in order to understand the impact of the Council purchasing commercial property may have on the Council's finances moving forward that members of the Council call upon the officers to undertake a full review into the risks, rewards and relationship between Brentwood Borough Council and its wholly-owned subsidiary company SAIL. A full report must be submitted to the Policy Resources and Economic Development Committee within three months of today's date.

Motion 7 Received 26 08 20 @14:47
Proposer Cllr Davies Seconder Cllr Aspinell

The Council is aware that there is an increasing problem regarding complaints regarding both to drug taking and drug dealing that is widespread throughout the Borough. This behaviour causes suffering and distress to neighbours and neighbourhoods in general.

This Council resolves to request that officers look at how best to address this issue. That those tenants who are found guilty of drug related offences know that the Council will not tolerate such anti-social behaviour.

Motion 8 agreed wording 26 08 20 @ 14.48
Proposer Cllr Mynott, Seconder Cllr Aspinell

As a non-partisan national organisation with the best interests of local government at heart, the Local Government Association recently joined with fifteen other organisations imploring the government to keep the Planning system in England local. As reported in First magazine, 'In an open letter to the Telegraph, the LGA and partners warned that taking Planning powers away from communities and councils will only deprive them of the ability to define the area they live in and know best, and risks giving developers the freedom to "ride roughshod" over local areas'. Conservative Cllr James Jamieson, LGA chair, said 'Planning powers must remain at local level, to enable councils to deliver resilient, prosperous places that meet the needs of their communities'.

This Council resolves to ask that an official representation to central government, agreeing wholeheartedly with the LGA position, and expressing deep concern at (hence opposition to), threatened current moves to strip local authorities of their Planning powers be made by the appropriate officer(s) in consultation with the appropriate Councillors and Leader of this Council.

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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