



Agenda

Emergency Committee

Wednesday, 18 November 2020 at 7.00 pm
Virtual Meeting via Microsoft Teams

Membership (Quorum – 3)

Cllrs Hossack (Chair), Parker (Vice-Chair), Aspinell, Barrett, Keeble, Lewis, Mynott, Nolan, Mrs Pearson and Poppy

Agenda

Item	Item	Wards(s) Affected	Page No
Live broadcast			
	Live broadcast to start at 7pm		
1.	Apologies for absence		
2.	Minutes of the previous meeting	All Wards	5 - 8
3.	Local Restrictions Support Grants Report to follow.	All Wards	
4.	Urgent Business		

A handwritten signature in black ink, appearing to read 'Jonathan Stephenson', with a long horizontal line extending to the right.

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
12/11/2020

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.

 modern.gov app

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

 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

Emergency Committee Friday, 5th June, 2020

Attendance

Cllr Hossack (Chair)
Cllr Parker (Vice-Chair)
Cllr Aspinell
Cllr Keeble
Cllr Mynott

Cllr Nolan
Cllr Mrs Pearson
Cllr Poppy
Cllr Naylor
Cllr Dr Barrett

Apologies

Cllr Barrett
Cllr Lewis

Substitute Present

Cllr Dr Barrett
Cllr Naylor

Also Present

Cllr Cloke
Cllr S Cloke
Cllr Fulcher
Cllr Mrs Hones
Cllr Kerlake
Cllr McLaren
Cllr Morrissey
Cllr Reed

Officers Present

Jacqueline Van Mellaerts	- Director of Corporate Resources
Jonathan Stephenson	- Chief Executive
Amanda Julian	- Director of Law and Governance (Monitoring Officer)
Philip Drane	- Director of Strategic Planning
Claire Mayhew	- Corporate and Democratic Service Manager
Laurie Edmonds	- Senior Economic Development Officer
Nishat Amin	- Economic Development Officer

444. Apologies for absence

Apologies were received by Cllr Lewis, Cllr Naylor was present as a substitute and Cllr G Barrett, Cllr Dr T Barret was present as a substitute.

445. Brentwood's Discretionary Business Grant Scheme May 2020

The Discretionary Business Grant Scheme was announced by the Secretary of State for Business, Energy & Industrial Strategy (BEIS) on 1st May 2020 and outlined in detailed guidance on 13th May 2020, and further guidance on 22nd May. This report outlines how Brentwood Borough Council will locally administer this discretionary scheme, aimed at businesses that were not eligible for either of the two previous Small Business Grant Fund or the Retail, Leisure and Hospitality Fund, to support the Government's Covid-19 response.

The Grants to be awarded are at total discretion of the Council, however BEIS has set down eligible **criteria** which must be met by each business making an application. The department has also indicated types of businesses which should be given **priority**.

The Emergency Committee is being called to make the decision to adopt the Brentwood Discretionary Scheme. There is an urgency to award the grants as soon as possible. The expectation is that they will be paid out early June. If the adoption of a scheme is not approved promptly, this could delay vital and necessary income being received by businesses of the Borough of Brentwood.

The Committee is being asked to delegate authority to the Section 151 Officer to administer the Brentwood's Discretionary Business Grant Scheme and to make technical adjustments if necessary.

After a full discussion, Cllr Hossack **MOVED** and Cllr Nolan **SECONDED** the recommendations in the report.

Members are asked to:

- R1. **To approve the Discretionary Business Grant Scheme attached as Appendix A.**
- R2. **The committee delegates authority to the Director of Corporate Resources (Section 151 Officer), in consultation with the Leader, to administer the Brentwood's Discretionary Business Grant Scheme and is authorised to make technical scheme amendments in line with Government guidance.**

A recorded vote was requested and taken. Members voted as follows:

FOR: Cllrs Aspinell, Dr Barrett, Hossack, Keeble, Mynott, Naylor, Nolan, Parker, Mrs Pearson and Poppy (10)

AGAINST: (0)

ABSTAIN: (0)

The **MOTION** a was **RESOLVED UNANIMOUSLY**.

446. Urgent Business

There were no items of Urgent Business.

The meeting concluded at 16.34



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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.

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.

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 Committees: The executive Committees are Council, Policy, Resources & Economic Development, Environment, Enforcement & Housing, Community & Health, Planning & Licensing and only the Audit/Financial function of the 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. 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 audit 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 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.

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.

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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.