



Agenda

Ordinary Council

Wednesday, 8 December 2021 at 7.00 pm

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

Membership (Quorum – 10)

Cllrs Ms Sanders (Mayor), Reed (Deputy Mayor), Aspinell, Barber, Barrett, Dr Barrett, Bridge, J Cloke, S Cloke, Cuthbert, Mrs Davies, Mrs Fulcher, Fryd, Gelderbloem, Haigh, Heard, Hirst, Mrs Hones, Hossack, Jakobsson, Kendall, Laplain, Lewis, McLaren, Mynott, Naylor, Nolan, Parker, Mrs Pearson, Poppy, Mrs Pound, Russell, Tanner, Tierney, Wagland, White and Wiles

Agenda

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Live broadcast

[Live broadcast to start at 7pm and available for repeat viewing.](#)

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| 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. | |



Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
23.11.2021

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

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

Personal Explanation


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

Point of Information or clarification

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

 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, 13th October, 2021

Attendance

Cllr Ms Sanders (Mayor)	Cllr Mrs Hones
Cllr Reed (Deputy Mayor)	Cllr Hossack
Cllr Aspinell	Cllr Jakobsson
Cllr Barber	Cllr Kendall
Cllr Barrett	Cllr Laplain
Cllr Dr Barrett	Cllr Lewis
Cllr Bridge	Cllr McLaren
Cllr J Cloke	Cllr Mynott
Cllr S Cloke	Cllr Naylor
Cllr Cuthbert	Cllr Parker
Cllr Mrs Davies	Cllr Poppy
Cllr Mrs Fulcher	Cllr Mrs Pound
Cllr Fryd	Cllr Tanner
Cllr Gelderbloem	Cllr Tierney
Cllr Haigh	Cllr Wagland
Cllr Heard	Cllr White
Cllr Hirst	Cllr Wiles

Apologies

Cllr Nolan	Cllr Russell
Cllr Mrs Pearson	

Officers Present

Amanda Julian	- Corporate Director (Law & Governance) and Monitoring Officer	-
Claire Mayhew	- Corporate Manager (Democratic Services)	
Jonathan Stephenson	- Chief Executive	
Jacqueline Van Mellaerts	- Corporate Director (Finance & Resources) and S151 Officer	
Tracey Lilley	- Corporate Director (Housing & Community Safety)	
Greg Campbell	- Corporate Director (Environment & Communities)	
Phil Drane	- Corporate Director (Planning & Economy)	

LIVE BROADCAST

[Live broadcast to start at 7pm and available for repeat viewing.](#)

154. Apologies for Absence

Apologies were received from Cllrs Mrs Pearson, Russell and Nolan.

155. Declarations of Interest

No declarations of interest were made at this stage.

156. Mayors Announcements

The Mayor and group leaders paid tribute the former councillor and Past Mayor of Brentwood, Ken Wright who recently passed away. Ken was a councillor for Herongate & Ingrave Ward between 1995-2006 and Mayor of Brentwood from 2005-2006. Our deepest condolences, have been sent to Ken's family on their sudden loss.

Members observed a minute's silence.

The Mayor informed the Council:-

"It's hard to believe I am not far from 6 months into my Mayoral year and have been so happy to attend a varied mix of engagements during this time. So far, I have attended 42 engagements.

I was fortunate to hold a great Charity Quiz Night in September raising over £1000 for my chosen charities and thank those of you who attended and supported the event. I am looking forward to hosting my Charity Curry Night in November and look forward to welcoming some of you then.

It was great to attend the Family Fun Days over the summer months and glad that these could return for 2021. It was so great to see so many families attending and enjoying all the entertainment. A big well done to the events team for bringing this back.

I also hosted my Civic Service at Brentwood Cathedral early August which was such a great service surrounded by fellow Chain Gang Mayors and Chairman, family, friends, and Members. It was so lovely to be joined by the impressive choir on the evening. I look forward to having my Christmas Carol service back at Brentwood Cathedral in December.

In early September, I was delighted to present Civic Awards to the long-awaited recipients from 2019 and 2020 as well as bestowing the Honorary title of Freeman of the Borough to Dennis Rensch. It was a very special evening

to be part of and celebrate the great and the good in the community. We are pleased to be opening up Civic Awards nominations for 2021 in the coming weeks should you wish to make any nominations.

I am looking forward to the Remembrance Day Parade which is taking place on Sunday 14th November leaving from the Town Hall. This will be a great honour for me as Mayor to take part in such a prestigious Civic event alongside the Royal British Legion. I hope to see many of you there in the parade.

I look forward to attending more events in and around the Borough in the coming months”.

157. Minutes of the previous Ordinary Council meeting held on 28th July 2021

The minutes of the Ordinary Council meeting held on 28th July 2021 were **APPROVED** as true record, subject to the inclusion of the written questions and responses submitted by Cllr S Cloke and Cllr Dr Barrett to state the following:

One written question has been received from Cllr Dr Barrett, as follows:

“Has the council had any engagement with highways England about the proposed community woodland at Hole Farm Warley - what are the plans for Brentwood Borough Council involvement and input”?

Cllr Hossack responded as Leader of the Council.

The council is already undertaking work to reduce its carbon footprint and influence that of others in the borough, including businesses and residents. As such, the Council is presently recruiting a Climate & Sustainability Officer who will work towards producing a ‘Green’ strategy. This strategy will include recommendations to reduce our carbon footprint, offset our carbon production and increase sustainability within the borough. Therefore, rather than make declarations at this stage, the Council is focused on delivering projects in the short term and seeking to develop a longer term strategy. This strategy will set out clear targets and the methods this authority will follow in order to deliver against local, national and worldwide climate objectives.

In addition, Brentwood as a member of Scope are already working with all other Essex councils, including County and share initiatives and expertise to reduce its carbon footprint and thus contribute to reducing global warming to less than 1.5°C %.

Following changes to our procurement rules, we already ensure products and services consider the environmental impact of their provision as part of the overall scoring when considering tenders. The Council will continue to develop other strategies, policies and action plans that encourage carbon reduction and carbon offset schemes. As well as sitting on already mentioned

we already sit on SCOPE, we are part of the Essex Councils Environmental Group and work with the Forestry Commission and Thames Chase to reduce our impact on the environment and reduce the amount of carbon in the borough through woodland planting.

The Council will continue to work towards zero carbon output as part of the forthcoming strategy later this year.

Two written question has been received from Cllr S Cloke as follows:

Question 1

“Residents of Brentwood that use communal waste facilities. e.g. those living in blocks of flats, do not all have access to locally positioned glass recycling bins. The expectation of Brentwood Council is that these residents, who are more likely not to have access to cars to transport bulk waste, must take their glass to a Recycling Centre or a supermarket or simply send it to landfill in black sacks. This results in wasted opportunities for recycling of glass as well as contamination of other recycling bins when residents dispose of their glass in bags or bins that are not designed for this type of recycling. When will the council provide glass recycling facilities equally to all residents by supplying communal glass recycling bins to all of those who live in accommodation with communal waste collection?”

Cllr Hossack responded as Leader of the Council.

The Council provides glass recycling bins to residential communal areas that request the service. This is however, directed by available space and the ability of managing agents and residents to comply with non-contamination of the glass recycling container.

Question 2

“Since the rollout of the new recycling scheme in Brentwood around a year ago the council has transformed its residential recycling scheme from a cost to an income. This has been achieved by limiting the collected items, re-educating residents on what can be collected and, most importantly, by providing a real time feedback loop to residents who put contaminated recycling out for collection as their bags are not collected. Unfortunately, there is still a large minority of Brentwood residents who do not have equal access to the recycling scheme, which is any resident using communal bins. These residents continue to fill orange sacks, which I understand are generally sent to landfill due to contamination. Many residents are unaware their orange sacks are being sent to landfill and many do not understand fully what should and should not be included in the recycling as they do not have the same real time feedback loop that individual recycling bag users have. The council has offered to trial communal recycling bins in these areas on request but this option is not being properly publicised and such trials will fail without the associated education of residents. When will the council proactively provide

communal recycling bins along with proper education and feedback on the appropriate contents for these to all relevant residents across the borough?"

Cllr Hossack responded as Leader of the Council.

When the roll out of the communal recycling bins takes place, each resident receives an informative letter detailing how to participate and listing the acceptable items.

Regards the comment about limiting collected items, there are only two elements of the waste stream adversely affected and that is 'food and drink cartons' and shredded paper. Plastic carrier bags, for example, were listed as unacceptable for inclusion in the orange sack.

158. Public Questions

There were none.

159. Memorials or Petitions

Cllr Pound presented a petition on behalf of the residents of Oliver Road. The Petition relating to their concerns about traffic calming along their road.

The Mayor suggested that Cllr Wagland, presents this issue to the Local Highways Panel for consideration, this the Chair.

160. 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 the 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 from Cllr Mynott.

What actions, if any, did the Council take, either

1. *After 19.12.17 and in the eighteen months before 26.6.19, in response to its consultants, Lichfields, advising it to consider an Article 4 Direction 'to stop the conversion of offices to residential uses through permitted development'?*

2. *(Other than behind the scenes discussion) since June 2019, once my (slightly amended) motion of 26.6.19 had been passed unanimously, and the*

Council had therefore 'resolve[d] to consult on the introduction of an Article 4 restriction on office conversion in an area to be confirmed?

Cllr Hossack responded as Leader of the Council.

Cllr Mynott knows that the priority of this Council has been to adopt a new Local Development Plan, for which there has been significant action taken and progress made over the past few years.

The Economic Futures evidence from Lichfields informs LDP policy. This evidence should be read in context. The work looks at provision of employment land and the LDP needs to consider a wide range of evidence in addition to that. The planning inspectors have been very clear on this point through the LDP examination – that one piece of evidence does not necessarily override another; they need to be understood in context and combination. The one issue that does seem to have overriding importance is the delivery of new homes.

The corporate strategy objective to grow our economy is being achieved in multiple ways, it is not just about retaining offices. We need a healthy mix of uses with efficient use of land – exactly what the LDP will be in place to achieve. The Economic Futures evidence advises that existing employment land and buildings be modernised through the better use of space, effectively increasing the number of jobs per square metre compared with historic land uses. This will be achieved through LDP policy, but change has also been accelerated through the pandemic and the way people work. We also need to respond to market needs, and right now there is massive demand for new homes. In comparison there is significantly less demand for commercial space, such as offices and retail.

Housing delivery in recent years has been significantly underpinned by residential conversion through permitted development rights. Evidence of this delivery has helped the LDP examination progress. Without it, it is likely that we would have to identify further land to deliver new homes, including Green Belt.

I say this because it highlights the fact that the answer is not simply to slap article 4 directions across the borough. Government policy to allow residential conversion through permitted development rights has benefits and disbenefits. The issue is nuanced with various implications. I personally have discussed this with the MP and representatives of the Brentwood Business Partnership, where it was clear that businesses have very different views about the policy – some think it's good for business, some don't. We will be holding a town centre conference to discuss this type of issue, because it is the opinion of businesses that really matters.

Our borough is changing. What we need to ensure is that it changes in a way that increases economic opportunities. That cannot be through protecting the old way of doing things. Let's be clear about what an article 4 direction is – you can't put a blanket direction on the whole borough, we have several

defined employment areas through planning policy and many individual buildings outside of these designations. Preparing an article 4 direction is not a simple job and justifying the reason for such a direction is even more difficult.

I will be responding to a motion on this issue from Cllr Mynott later. That will provide assurance that an options paper will be brought to PRED Committee. Such a paper must be considered against the Secretary of State's announcement to update National Planning Policy Framework paragraph 53 on this issue. This requires article 4 directions to be used in a targeted way, limited to necessary situations that avoid wholly unacceptable adverse impacts. In all cases, robust evidence is needed that applies to the smallest geographical area possible.

That's the substance of the reply, I have to say, if I look at your original motion that we all agreed I have to ask this. The amendment was initially I think, you talked about general areas you suggested in the pre-amended motion including Brentwood North, Brentwood West, Brentwood South, and Warley wards as potential areas. The change was we would look at a restriction of office conversion area to be confirmed I don't know what that area idea is or indeed is it a building, so I think if we're going to pursue this Phil, and I know you're passionate about it and I have no problem with it but we do need to look at these mechanisms to get the balance right between residential and business. But we do need to home in on specifically what you've got in mind because if it's a town centre radial approach, is it a blanket process, one thing made the comment in relation to that if you would have said to me, lets use a past example, Fords at Warley, then that's specific and we could've looked at that. But I do have to say this if we had looked at that back in the day where would we be with the Ford motor company headquarters now. It would be sitting empty, and it certainly wouldn't be nearing the end of completion that its going to create hundreds of units for accommodation which is what we need to think this through. I think the response is comprehensive, I have to say imagine if we had put Article 4 on Ford, I'm not suggesting we are I'm trying to use this as a hypothetical example.

Cllr Aspinell, If you'd have been successful, we'd be in a very difficult position right now because we've missed our new homes bonus and the building would still remain empty because nobody would be setting up saying wow look at all this office space let me move my employees into it. So, if you'd haven't done it where the things are shifting, we would be in a god-awful situation, and it probably would've cost us 200 grand and no homes bonus. So, we have to think about it clearly. I would like some clarity from yourselves, whether its Phil or yourselves exactly what you are considering where it says on the motion in the area to be confirmed they should not confirm that as yet.

Cllr Mynott, asked one supplementary question. Why the Leader of the Council sees fit to complete the avoid answering the questions that I have submitted well in advance before this meeting and are perfectly clear. I take the Leader of the Council back to the introduction of the questions, what actions if any did the council take, past tense, Cllr Hossack has mentioned a

couple of things what might happen in the future, that is not covered by the past tense, if the answer of which actions did the council take, under the 2 headings in my question is no it didn't take any action at all, could Cllr Hossack be good enough to give that true answer?

Cllr Hossack replied by saying that a true answer was given, it was almost the first words I uttered and they'll be minuted hopefully and were outside of this, which is yes, we have taken action and we've taken that action with the scope of the LDP that's why I went on to iterate to you beyond that point is that we need to look at this in the round all of that work involved with Litchfield's that whole piece about Article 4 directions needs to be considered in the context of LDP work. You can't do that separately I gave you that answer frankly and truthfully at the very beginning. You will need to refer to the minutes to see that I said it if not look on the video tape.

Two written questions were submitted by Cllr Naylor.

1. *Brentwood and Essex Conservatives who attended their recent National Party conference in Manchester, will have noticed the Tram running beside the conference centre.*

In recent months, local press has reported on the possibility of a Tram network connecting Towns in South Essex. Cllr Chris Hossack, the Leader of Brentwood Council, and chair of ASELA, said in one report that Trams are a "Could be". These reports have been scant on detail, with one report including Brentwood in a proposal, and another, only going as far as Wickford and not beyond to Brentwood.

I would very much welcome a tram network connecting Brentwood with neighbouring towns such as Basildon (earmarked as the home for a new technical university by ASELA) and Thurrock. An even better network would link in to the proposed KenEx project, connecting Brentwood with direct public transport not only across the rest of Essex, but also onward to Kent.

If ASELA is to mean anything to the people of Brentwood, it must bring tangible benefits to Brentwood too. Better connectivity for Brentwood to neighbouring towns to the South, linking in with current West to East routes, would finally provide full interconnectivity.

Can the Leader of this Council, and as chair of ASELA, give assurance that Brentwood will be included and not left out of a Rapid Transit network as per the ASELA Growth and Recovery Prospectus, give any further details to local residents and members of this Council, to any plans of this nature, appreciative that it is indeed early on, but surely more informed than what has been reported on in the press?

2. *Given the failure of SERT (South Essex Rapid Transit) in early part of the last decade, and previous Essex wide partnerships; have Brentwood and other Essex Conservative leaders engaged in serious attempts with their colleagues in national government, to this time, provide the support and requisite funding*

to move concrete proposals in to actual reality, and provide Brentwood and Essex with investment that has been missing for decades?

Cllr Hossack responded as Leader of the Council.

Infrastructure transport is absolutely what ASELA is trying to deliver and your last comment is the reason it has been prioritised because there has been recognised under investment in south Essex for decades. We see pressure all over the place and so it has been identified that there are various methods of achieving mobility and transport improvements across south Essex, one of them could be a rapid transit system, which could include trams, although personally I'd rather see us getting on with the investment that's badly needed in the A127 and the widening of it. All of this transport infrastructure likely comes to figures in the tens of billions of pounds to deliver such things, which again we now have a Department for Levelling Up as of a month or two ago, and following the general election the Government has made it plain about their desire to see levelling up, particularly towards the north, but that's doesn't mean that we take our foot off the gas. So in answer to your question, I received a phone call from the BBC about trams as there is reference to this in the growth prospectus that you mentioned, but I can't give you concrete proposal for trams across south Essex because there aren't any concrete proposals. Our five key programs in our proposal at the moment include the university, for which it is key that we gain infrastructure improvements to get access to that university if it's to be located in Basildon, another key programme we are working on at the moment is Freeport. The full fibre network is another form of connectivity. Our housing growth programme is key and also looking at green connectivity with cycleways that are safe. Trams could be a part of the solution, I'm not going to stand here and rule it out. Everyone should benefit from the ASELA programs. I won't be able to give you a specific tram plan because there isn't one.

Cllr Laplain asked that the questions put by Members and the responses to those questions are included in the minutes. This was agreed by the Mayor, Cllr Sanders.

Cllr Tanner, put a question to the Leader of the Council, Cllr Hossack

In this year's budget we allocated a proposed 2% pay award for Staff?

Cllr Hossack, Leader of the Council responded.

Yes, we factored this into budget. We wanted to see what happened National through the NGC and the Unions. The 2% pay award is in reserves, and he asked that the Section 151 Officer and the CEO make arrangements for staff to be receive this in their November pay, backdated to April 2021 to all pay grades.

Cllr Kendall, put a question was to the Chair of Community & Health Committee.

Page 33, a couple of weeks ago I visited the Brentwood Centre Gym, I have noticed there has been no charging facilities. Can you confirm this will charge?

Cllr Poppy, Chair of Community & Health Committee responded.

Cllr Poppy informed Cllr Kendall, that there are still non charging facilities. The Centre was handed over SLM on 1st October 2021. It will be changing soon however as of now remains the same.

Cllr Barrett, put a question to the Chair of Policy, Resources and Economic Development Committee (PRED)

At the last meeting of Council, answered a Public Question on Mobile Masts. Cllr Barrett requested an update to Members about the Mobile Phone Masts contracts. Cllr Barrett asked for an off-line response to be circulate to Members

Cllr Hossack, Chair of Policy, Resources and Economic Development Committee (PRED) responded.

Cllr Hossack asked the Corporate Director (Planning & Economy), Mr Drane to circulate an update to all Members.

Cllr Barrett, put a question to the Chair of Community & Health Committee.

We now have a third party provider for the Brentwood Centre. But in the announcement it was stated that contract was for 2 years ahead of a tender process. When will the tender process at starts? Within that tender process, will there be some kind of self-management programme or Local Authority lead option?

Cllr Poppy, Chair of Community & Health Committee responded.

I could not answer the second part of your question. SLM has just been taken on. We had started meeting as a working group where discussions have been made around the development of the site. Procurement process not likely to start for at least two years.

Cllr Mynott, put a question to the Chair of Planning & Licensing Committee.

In relation to the comment on paragraph 3 on page 37, identified process and resources to maintain performance.

Given that we have be informed by Officers in the past that lack of resources has affected the work on Article 4 and the Local Development Plan.

Would there be a possibility of future resource so that both projects can work in parallel?

Cllr Cloke, Chair of Planning & Licensing Committee responded.

Cllr Mynott, you will note that that Planning Applications have increased. There are plans in place to further resource the team.

Cllr Cloke referred to Mr Drane. Mr Drane confirmed that staff resources are being reviewed as part of the “Gearing up for Growth Project”, for which an update will be presented at the All Member Briefing shortly. A report will be presented to PRED Committee in future.

Cllr Naylor, put a question to the Chair of Audit & Scrutiny Committee.

Cllr Naylor question relating to Risk Management, especially risk 10 referring Income rejections for the Council. This risk means we are digging more and more into the Council Reserves. Residents will see more spending together with the services cutbacks that have already been made and the results can be seen around Brentwood.

Will the conservatives deal with this group and appropriateness of the inclusion of this in budgets.

Cllr Hossack spoken on behalf of the Chair of Audit & Scrutiny, Cllr Nolan.

We are going through a budget setting process at present. We can see pressures throughout the origination especially relating to resource. Human Resource counts to 62% of the costs for this authority. We will be to review commercial income and shared services for the organisation.

Risk Assessments are factored in the budget process. We take time to view all the risks, some are great then other. But there is transparency with the proposals.

Cllr Naylor, put a question to the Chair of Community & Health Committee

Do the Conservatives of Brentwood Borough Council believe that their colleagues in National Government including the Prime Minister such restore some form of democratic and social accountability and resign from their roles in what was described and the worst public health failure by a joint committee, where we were viewed fair to poor. Billions spent of money spend test and trace that didn't work.

The Mayor did not accept the question put.

Cllr Lewis, put a question to the Chair of Policy, Resources and Economic Development Committee (PRED)

5 months ago it was at 3% it is now at 4% and is likely to creasing to 6% next Spring and to continue for the next 2-3 years. Are you comfortable with a balanced budget and the HRA?

In relation to Cllr Tanner question previously relating to Staff Pay. If there is a 6% increase by next Spring will you be comfortable with morale and the quality of the work force with offering them 1-2% pay raise, when then are actually losing 4%.

Cllr Hossack, Chair of Policy, Resources and Economic Development Committee (PRED) responded.

I tend not to comment on forecasts, as they change from one moment to the next, it's down the individuals if they are comfortable. I'm comfortable we will present a balanced budget in March and are working hard with Officers to deliver this.

In answer to your question and I will confirm again. Yes, a balanced budget will be delivered in March.

Cllr Haigh, put a question to the Chair of Community & Health Committee.

It was a shame that the Splashpad at King George's Playing Fields could not open this, Summer Holiday this year.

What were the issues with water connection? Where they foreseeable? Can you offer an assurance that it will be open in Spring 2022?

Cllr Poppy, Chair of Community & Health Committee responded.

Yes, the splashpad will be open in Spring 2022. The connection for the water is now in place. The problem lines way back to when the paddling pool were in place and the connection wasn't there. We have been at the mercy of the water company for the last 6-8 months.

Cllr Aspinell, put a question to the Chair of Environment, Enforcement and Housing Committee.

Have we got a spare capacity in our Surface Car Parking personal do assist SEPP so they can enforce the disgraceful parking on our High Street, Shenfield High Street and throughout the Borough.

We must have been losing thousands of pounds from our surface car parks. on the pavement within the High Street.

Is this possible?

Cllr Honess, on behalf of the Chair of Environment, Enforcement and Housing Committee responded.

She asked that Cllr Cloke (representative from Brentwood Borough Council for SEPP) responded to the question from Cllr Aspinell.

Cllr Cloke confirmed that discussions are taking place with Essex County Council on this matter.

Cllr Wagland put a question to the Mayor as Chair of Ordinary Council.

This happened at the last meeting about the process how this meeting is conducted.

The Leader responded and clarified that the Constitution directed that questions be put to chairs of committees rather than through the Mayor.

161. Notice of Motion

Four 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.

Three of which were deferred from the Ordinary Council meeting on 28th July 2021.

Motion 1 Received 02/06/2021 @ 15:47

Proposer Cllr Dr T Barrett

Seconder Cllr G Barrett

The Council resolves that all future Brentwood Borough Council backed, or part backed developments, including those through the Brentwood Development Partnership, SAIL and other subsidiary companies will at a minimum meet the guidance on design and amenity standards set out in both Brentwood & Essex design guides.

Cllr Dr Barrett present a revised Motion after discussion with Cllr Wagland, who informed him of some changes to National Planning Policy Framework.

“The Council welcomes the arrival of the Government’s new section 12 of the National Planning Policy Framework (NPPF); which allows Local Authorities to prepare local design codes democratically through effective local community consultation based on local defining characteristics; and provides that development proposals that are not well-designed should be refused. The Council is pleased to adopt apply this revision to the NPPF including in relation to its own backed or part-backed developments and will take up the new opportunities given to Local Authorities”.

Cllr Barrett was asked as the original seconder to speak on the Motion. However, he asked that Cllr Wagland my wish to be the seconder, as she assisted with revised motion.

This was accepted by Cllr Wagland.

Officers drew members attention to the word adopt, which could be an issue as in Planning terms the Council is not able to formally adopt national policy, which was reworded by the Mover to instead state apply.

In line with constitution, Cllr Wagland proposed the amendment to the original motion which was accept by Cllr Dr Barrett.

A vote was taken by a show of hands and it was **CARRIED**.

“The Council welcomes the arrival of the Government’s new section 12 of the National Planning Policy Framework (NPPF); which allows Local Authorities to prepare local design codes democratically through effective local community consultation based on local defining characteristics; and provides that development proposals that are not well-designed should be refused. The Council is pleased to apply this revision to the NPPF including in relation to its own backed or part-backed developments and will take up the new opportunities given to Local Authorities”.

Motion 2 Received 02/06/2021 @ 15:47

Proposer Cllr Dr T Barrett

Seconder Cllr G Barrett

The Council resolves that all future Brentwood Borough Council backed or part backed developments, including those through the Brentwood Development Partnership, SAIL and other subsidiary companies will be compliant with the 35% affordable housing requirement or provide the market rate sum to purchase the equivalent property/properties in the Borough for use as affordable housing in lieu of this requirement.

Cllr Barrett suggested an amendment to the motion to state, which was accepted by Cllr Dr Barrett, as the Mover.

The Council resolves that all future Brentwood Borough Council backed or part backed developments, including those through the Brentwood Development Partnership, SAIL and other subsidiary companies will be compliant with the 35% affordable housing requirement, **where appropriate for development size** or provide the market rate sum to purchase the equivalent property/properties in the Borough for use as affordable housing in lieu of this requirement.

Cllr Hossack suggested that the word “will” should be amended to “seek” be compliant with the 35% affordable housing requirement. This was not accepted by the Mover.

Cllr White, referred to Chapter 4, 3.7 Chapter 4. this Motion should be accommodated by a report outlining any financial or contract implications.

After a full discussion, the Monitoring Officer informed Members that the Motion should be deferred to the next meeting with an accompanying report.

Motion 3 Received 29.6.2021 @ 12.22

Proposer Cllr Mynott

Seconder Cllr Naylor

In June 2019, a motion was submitted proposing that the Council go through an Article 4 process to remove permitted development rights on the conversion of office space to residential accommodation, in specific areas of

the borough, and to reinstate the normal Planning process for such proposed conversions.

That motion was carried with overwhelming cross-party support. However, in the two years since then, no step has yet been taken to achieve what was agreed. Recent claims have, moreover, been made that Council acquisitions of a handful of commercial properties in the borough might somehow defend Brentwood borough from the numerous drawbacks of unrestrained office conversion. Nevertheless, piecemeal property acquisition cannot address across the board issues of the kind caused by permitted development rights on office conversions.

This council will abide by its decision of June 26th 2019 on the previous motion, and requests that legal advice is sought on the introduction of an Article 4 restriction be undertaken, as agreed.

Cllr Hossack informed Members that subsequent report will go back to a further meeting of Policy, Resources and Economic Development Committee.

After a full discussion, a vote was taken by a show of hands and was LOST.

(Cllr Laplain declared a non-pecuniary interest by virtue of an employee of British Telecom was mentioned within the debate).

Motion 4 Received 26.9.2021 @ 21.31

**Proposer Cllr Mynott
Aspinell**

Seconder

Cllr

Earlier this year the Government introduced a new Use Class MA, allowing buildings and land within the (itself only recently created) umbrella Class E (commercial, business and service) to be converted into dwellings.

The underlying consequence is once again to prevent local control over the planning process, to rip up a rulebook which isn't the root cause of the current housing shortage, and to circumvent much needed improvements in the availability of affordable housing.

Applications under Class MA have been possible since August the 1st, even though this is yet another change to planning regulations in Britain that has aroused widespread criticism, with the Royal Town Planning Institute, the Town and Country Planning Association, the National Trust and even the British Property Federation opposed to it (amongst others). Introducing a change like this at a time of Covid, when numerous businesses have been under unprecedented pressure for over a year (and nationally one in seven Class E units are already empty) is likely to wreak havoc with the future viability of UK high streets, and to do so irreversibly.

A report from University College London already predicts losses of High Street businesses ranging between 89% and 75%, with four out of five shops likely to go, most of which will be small and locally owned.

This Motion was withdrawn by the Mover, Cllr Mynott.

162. Urgent Business

There were no items of urgent business.

The meeting concluded at 21:08

Agenda Item 7

Committee: Ordinary Council	Date: 8 th December 2021
Subject: Chairs' reports and Members' Questions	Wards Affected: All
Report of: Claire Mayhew – Corporate & Democratic Services Manager	Public
Report Author/s: Name: Claire Mayhew - Corporate & Democratic Services Manager Telephone: 01277 312741 E-mail: claire.mayhew@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 Mayor.

Appendices to this report

Chairs Reports for:

- Appendix A: Audit and Scrutiny Committee - to follow
- Appendix B: Community and Health Committee – to follow
- Appendix C: Environment, Enforcement and Housing Committee – to follow
- Appendix D: Planning & Licensing Committee - to follow
- Appendix E: Policy, Resources and Economic Development Committee - to follow

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Item 8 – Arrangement to appoint External Auditors from 2023/2024

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Agenda Item 9

Committee: Ordinary Council	Date: 8 th December 2021
Subject: Notices of Motion	Wards Affected: All
Report of: Claire Mayhew - Corporate & Democratic Services Manager	Public
Report Author/s: Name: Claire Mayhew – Corporate & Democratic Services Manager Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Decision

Summary

Ten 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.

One of which were deferred from the Ordinary Council meeting on 13th October 2021.

Motion 1 – Received on 2nd June 2021 @15:47 (Deferred from Ordinary Council on 13.10.2021).

Mover: Cllr Dr T Barrett

Seconder: Cllr G Barrett

The Council resolves that all future Brentwood Borough Council backed or part backed developments, including those through the Brentwood Development Partnership, SAIL and other subsidiary companies will be compliant with the 35% affordable housing requirement, where appropriate for development size or provide the market rate sum to purchase the equivalent property/properties in the Borough for use as affordable housing in lieu of this requirement.

Officer comment:

The starting point for all planning applications is that they should be policy compliant, which in terms of affordable housing means the provision of 35% affordable units on site over particular thresholds. This is reinforced by national policy. However, national policy provides for exceptions where for instance a scheme would not be viable with that level of affordable housing. In such cases, our existing and emerging policy allows for financial contributions towards off-site affordable provision and/or a reduced number of units if evidenced by an agreed viability appraisal. It is expected that all applications start with the aim of being policy compliant, but there can be legitimate reasons why such policy requirements cannot be achieved.

In the case of Brentwood Development Partnership, the joint venture between SAIL and Muse Developments, each individual proposed development scheme should be subject to a viability assessment to identify as to whether the scheme can be policy compliant. Any restriction before that assessment is made may contradict national policy and/or the joint venture partnership agreement. Any financial implication will depend on each individual development and its viability.

Motion 2 – Received on 2nd November 2021 @ 14.31

Mover: Cllr Haigh

Seconder: Cllr Naylor

This Council resolves to write to the Secretary of State for the Department of Levelling Up, Housing & Communities.

The existing pressures on our decaying drainage and sewerage systems in Brentwood are already critical and at times unsustainable, with regular breaches occurring across the Borough resulting in flooding to properties and roads. This has a huge impact upon affected residents.

National Government has demanded that we have to provide over 7,500 new homes despite Brentwood being 89% green belt. This necessarily forces us to build these new homes wherever possible in suburban areas. This will only increase still further the huge pressures upon the existing system resulting in more misery and costs for residents.

Water Companies must be pressurised by National Government now to upgrade our drainage and sewerage systems and bring them into the 21st Century.

A proper and detailed assessment is required to assess the impact of 7,500 new homes on our existing drainage and sewerage systems. If our existing systems cannot deal with 7,500 new homes, in the absence of a significant upgrade to those systems, the Secretary of State should urgently modify the new home requirement for Brentwood to reflect this.

Motion 3 – Received on 2nd November 2021 @ 14.31

Mover: Cllr Aspinell

Seconder: Cllr Mrs Davies

This Council resolves to write to the Secretary of State for the Department of Levelling Up, Housing and Communities to request consideration of an immediate introduction of a planning requirement that prior to considering any planning application for five properties or more, there would first need to be a proper and detailed assessment of how the existing sewerage and drainage systems will be impacted and cope with further demands placed upon them.

If legitimate concerns cannot be met, the application should be refused.

Motion 4 – Received on 3rd November 2021 @ 09.42

Mover: Cllr Hossack

Seconder: Cllr Parker

This council recognises the efforts of the parking wardens in issuing a significant number of tickets to those that inconsiderately park on the high street pavement causing an unsafe situation and welcomes the physical measures that are due to be implemented as a pilot scheme. The current levels of PCN for on-street infringements are clearly not a significant enough deterrent and whilst it is recognised these are not set locally, representation must be made to the appropriate bodies for these to be increased and that incremental revenue is directly re-invested into sustained patrolling and enforcement.

Motion 5 – Received on 3rd November 2021 @ 09.42

Mover: Cllr Hossack

Seconder: Cllr Barber

This Council appreciates the efforts of Essex Police in the various operations that have been carried out to tackle drug use and dealing in Brentwood's High Streets. This council requests discussion with Essex Police as to how they might work with us to achieve a more consistent approach in tackling this on-going issue in identifying problematic venues. Moreover, this council seeks a review as to what tougher actions we can take against licensed premises, that through our work with Essex Police, are identified as having a persistent problem.

We will seek to work with residents and local groups, wherever possible, to enable implementable ideas to come to fruition through a consultation on Baytree Centre proposals and a vision for Brentwood town centre.

Motion 6 – Received on 3rd November 2021 @ 09.42

Mover: Cllr Hossack

Seconder: Cllr Wiles

This Council appreciates the efforts of local residents that have come forward with ideas to enhance the offering and ambiance of Brentwood Town centre. We will seek to work with residents and local groups, wherever possible, to enable implementable ideas to come to fruition.

A report to be presented at a future PRED meeting for consideration and agreement.

Motion 7 – Received on 16th November 2021 @ 12.25

Mover: Cllr Aspinell

Seconder: Cllr Kendall

This Council resolves to write to the Police, Fire & Crime Commissioner demanding the reinstatement of a fully operational Police Station including custody suite in our Borough.

The recent increase in violent crime in this borough has been well documented in the press both locally and nationally.

Brentwood is and remains in a vulnerable position particularly given its proximity to the M25 together with its direct road and rail links into London

The Council believes that the distances between the current operational Police Stations for this Borough of Grays and Harlow are simply too far away to ensure the safety and security of our residents.

Motion 8 – Received on 16th November 2021 @ 13.54

Mover: Cllr Mynott

Seconder: Cllr Cuthbert

Earlier this year the Government introduced Use Class MA, newly permitting the conversion of buildings and land within Class E into dwellings.

This is yet another change to Planning that has aroused widespread criticism, with the Royal Town Planning Institute, the Town and Country Planning Association, the National Trust and even the British Property Federation opposed to it (amongst others). It damages local control over planning, ignores the root cause of the current housing shortage, and circumvents methods of providing affordable housing.

Introducing this when businesses are under unprecedented pressure (and nationally one in seven Class E units are already empty), thanks to Covid, is likely to wreak havoc with the viability of UK high streets, and to do so irreversibly. A report from UCL already predicts losses of High Street businesses ranging between 89% and 75%, with four out of five shops vulnerable, most of which will be small and locally owned. This council wants its High Streets to thrive and not die. As such it agrees to contact the Government officially, urging it to listen to the expert advice of numerous Planning organisations, to protect the future of the UK High Street, and to scrap this ill-advised policy.

Motion 9 – Received on 16th November 2021 @ 16.16

Mover: Cllr Lewis

Seconder: Cllr Aspinell

This Council resolves to have placed in our Constitution that any councillor(s) who individually, or through their party affiliation, have received donations from land owners /agents/developers should be prohibited to sit and vote on a planning committee where that land /planning application is being discussed.

Motion 10 – Received on 16th November 2021 @ 16.16

Mover: Cllr Aspinell

Seconder: Cllr Lewis

This Council resolves to instruct the Monitoring Officer to bring forward to this Council a proposal for a Standards Committee to be introduced by this Council within the next three months.

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Members Interests

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

- **What are pecuniary interests?**

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

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

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

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

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

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

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

- **Other Pecuniary Interests**

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

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

- **Non-Pecuniary Interests**

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

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

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

Ordinary Council Terms of Reference

General Powers of Council

The Council is the ultimate decision making body of Brentwood Borough Council and the principal forum for major political debate. All 37 Councillors who have been elected to represent the borough attend the Council meeting.

The Council decides the overall objectives, major policies and financial strategies of the Council. It also considers recommendations from the Scrutiny and Regulatory Committees on issues of significance.

Through the Constitution, it delegates responsibility for carrying out many of the Borough Council's functions and policies to its committees. It also agrees the membership of the committees/sub-committees.

Only the Council will exercise the following functions:-

- (a) adopting and approving changes to the Constitution;
- (b) adopting and amending Contract Standing Orders and Financial Regulations;
- (c) agreeing and/or amending the terms of reference for committees and any joint committees, deciding on their composition chairmanship and making initial appointments to them;
- (d) appointing representatives to outside bodies and consultative groups unless the appointment has been delegated by the Council;
- (e) adopting and amending a members' allowances scheme under Chapter 6;
- (f) to elect the Leader and Deputy Leader of the Council;
- (g) to designate the Chairs and Vice Chairs of the Council;
- (h) adoption of the Code of Conduct for Members;
- (i) electoral and ceremonial matters relevant to the Council
- (j) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (k) setting the Council's Budget and Council Tax;
- (l) approving the making of a virement or payment from the Council's reserves for values exceeding £200,000;

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