



# Agenda

## Ordinary Council

Wednesday, 16 March 2022 at 7.00 pm

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

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### 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

*Members are respectfully summoned to attend the above meeting to transact the business set out below.*

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### Agenda

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#### Live broadcast

#### Live broadcast

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

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| 4. | Minutes of the Ordinary Council meeting held 8th December 2021 | All Wards | 7 - 26 |

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| 5.  | <b>Minutes of the Extra Ordinary Council meeting held on 23rd January 2022</b>  | All Wards | 27 - 32 |
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| 13. | <b>Urgent Business</b><br>An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency. |           |         |



Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
01.03.2022



## Information for Members

Please note the changes in blue apply to remote meetings

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### 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.

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### 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.

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### 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.


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### 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](http://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.

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## Minutes

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### Ordinary Council Wednesday, 8th December, 2021

#### Attendance

Cllr Ms Sanders (Mayor)	Cllr Hossack
Cllr Reed (Deputy Mayor)	Cllr Kendall
Cllr Aspinell	Cllr Laplain
Cllr Barber	Cllr Mynott
Cllr Barrett	Cllr Naylor
Cllr Bridge	Cllr Nolan
Cllr S Cloke	Cllr Mrs Pearson
Cllr Cuthbert	Cllr Poppy
Cllr Mrs Davies	Cllr Mrs Pound
Cllr Mrs Fulcher	Cllr Russell
Cllr Fryd	Cllr Tanner
Cllr Haigh	Cllr Wagland
Cllr Heard	Cllr White
Cllr Hirst	Cllr Wiles
Cllr Mrs Hones	

#### Apologies

Cllr Dr Barrett	Cllr Lewis
Cllr J Cloke	Cllr McLaren
Cllr Gelderbloem	Cllr Parker
Cllr Jakobsson	Cllr Tierney

#### Officers Present

Amanda Julian	-	Corporate Director (Law and Governance) and Monitoring Officer
Claire Mayhew	-	Corporate Manager (Democratic Services) and Deputy Monitoring Officer
Jonathan Stephenson	-	Chief Executive
Steve Summers	-	Strategic Director (Deputy Chief Executive)
Jacqueline Mellaerts	Van	- Corporate Director (Finance & Resources)

## LIVE BROADCAST

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

### 220. Apologies for Absence

Apologies were received from Cllrs Dr Barrett, Mrs Gelderbloem, McLaren, Parker, J Cloke, Mrs Tierney, Lewis and Jakobsson.

### 221. Declarations of Interest

No declarations of interest were made at this stage.

### 222. Mayors Announcements

The Mayor informed the Council:-

*“When I was first elected as Mayor of Brentwood, one of the events I was most excited about being part of was the Remembrance Day Parade. The event was humbling and I was honoured to represent the Borough of Brentwood joined by the representatives from our local branch of the Royal British Legion, the military and the cadets and organisations. Leading the parade of almost 600 people to the War Memorial and through the High Street was an occasion I will never forget and I was proud to be the Mayor of this great Town. The service followed at St Thomas’ Church allowed us to remember and never forget those who have fought and selflessly and gave their lives to our country. Thank you for the organisers and those who supported the event to make it the success it was.*

*Thank you to all who attended my recent Charity Curry Night. It was a great evening, and I am delighted that it raised £800 for my chosen charities. With all your help and support I am pleased the events will be able to raise awareness and funds to these well-deserved causes.*

*We got into the festive spirit as I was joined on stage by the winners of the Mayors Christmas Card and Poem competition winners to turn on the Christmas lights at the Town Hall. It was an enjoyable afternoon of entertainment in a slightly different Lighting Up Brentwood event. There are many festive events going on around the Borough so be sure to join in.*

*I also hosted my Civic Carol Service at Brentwood Cathedral early this month 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. A great way to get into the festive spirit.*

*I am pleased to confirm that the Civic Awards nominations for 2021 are open. Please do consider nominating or spreading the word so those individuals or organisations can be rewarded for their great achievements in our Borough.*



*As Mayor I have been delighted to be able to attend functions at Rochford Borough Council. As you are all aware we agreed that our Chief Executive Mr Stephenson would be the interim Joint Chief Executive with a view to bringing a further report to this Council this month. This has not been possible, therefore I will ask the Leader of the Council to make a short statement on the process to date. There will be no debate or questions on this matter it is purely to update you all tonight. You will get your chance in the New Year.*

*As Mayor it's also been a really great experience to attend functions as well at Rochford District Council and as you're all aware we agreed that our Chief Executive Mr Stephenson will be the Interim Joint Chief Executive with a view to bringing a further report to the council this month - this has not been possible therefore I will ask the Leader of the Council to make a short statement on the process to date. There will be no debate or questions on this matter which is purely an update for everyone tonight and you will get your chance to do this in the new year"*

Cllr Hossack added this update:

*"This statement mirrors a statement that was given by the Leader of Rochford Council earlier this week. Members you'll recall that the council approved the commencement of formal negotiations, in Brentwood we did this on the 20th July 2021 and in Rochford on 28th July 2021. Since the update members of the executive team and a small group from my group have been working on a feasibility study that we promised to explore further shared and partnership opportunities between the two councils and the appointment of Mr Stephenson as the Joint Chief Executive for the initial six-month period has also been formalised by way of a Memorandum of Understanding. As part of that feasibility study we've been working with external experts, a company called Shared Service Architecture who have supported other councils through this process. They have helped facilitate engagement, ensure alignment and develop heads of terms to the proposed partnership. We have had several sessions with Shared Service Architecture to agree desired outcomes for the partnership and to build relationships with our peers from Rochford District Council. Through these sessions we've created a shared understanding of what we want to achieve together and how we want to achieve it. We have also engaged with the senior leadership teams of both councils to ensure they've been included in the discussions and informed. I am pleased to confirm that we've reached agreed draft heads of terms for a formal partnership arrangements which we will bring into an Extraordinary Council in January. We had committed to bring back a further report proposal by the end of 2021 but the timings of these meetings and the considerable work we've been doing has unfortunately meant this will now be shared in January. In advance of that there will be a number of sessions led by myself, Jonathan and the Leader of Rochford to brief all members and officers about these heads of terms mean. We welcome all questions and constructive challenge at that time and our thinking will continue to develop as we go through this process. To demonstrate our commitment to that before the Extraordinary Council meeting, we will be bringing a report to Rochfords Review Committee on the 11th January 2022 and our Audit & Scrutiny Committee 12th January. We will welcome the scrutiny that the committee*

*offers on our proposed arrangements. I am very pleased by the progress which has been made during this feasibility stage and I would like to thank colleagues from Rochford for their openness and challenge which has provided thought-provoking debate and true blue sky thinking about how we can transform our respective councils through innovation and creativity. I am very excited about the potential for our proposed partnership and the opportunities that it will create. I look forward to speaking to members individually about that over the coming weeks.”*

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

The Ordinary Council meeting held on 13<sup>th</sup> October 2021 were **APPROVED** as a true record. The minutes contain a summary of the meeting, to view the full meeting please visit <https://www.youtube.com/watch?v=oXh-oX99IRI>.

## **224. Public Questions**

Three public questions have been submitted.

Ms Susan Kortlandt had submitted two questions.

1. To the leader and to the leaders of the opposition parties - What is the total carbon footprint of Brentwood Council from all its current operations, including housing, offices and works?

Response from Cllr Hossack:

*I think as a bit of a clue in your question, it's not an insignificant task to baseline the carbon footprint of all of our operations including 2500 houses, multiple halls, Brentwood Centre, our depot, multiple fleets of vehicles and cars and those things are changing all the time. You have rightly illustrated that is a very large task and as a Council, as an organisation, as an employer this is probably the largest task of any organisation in Brentwood. This is the development of a strategy as a piece of work and our newly appointed Climate & Sustainability Officer is undertaking this baselining exercise will bring the information together on the carbon footprint and it will form part of the baseline that our performance will be measured against moving forward.*

Response from Cllr Aspinell:

*I hope that whatever details we get back includes our council housing which is considerable. I look forward to that report when it comes to us.*

Response from Cllr Barrett:

*To add to points made, I think in terms of the council, this is a big piece of work but there are several London boroughs and other councils in the East of England that already have done these equations and this summaries which would be able to work from. There is a suitable it's a carbon workbook for local authorities that again we can work from and have these figures appear in*

*turn at the same time. There is also a wider piece of work, it's not necessarily just our emissions day-to-day but our capital carbon, how much carbon we put when we're building new things especially when at construction phase. In construction, laying concrete is one of the most carbon intensive things you can do. As a council that's building we have to think how we net off or produce alternatives to reduce those emissions as well as we develop. I think that's very important in terms of the future planning as well.*

2. I note that the Council is preparing an Environmental Strategy aimed at taking the "Council and the Borough" towards Zero Carbon 2040". How will you ensure that progress is being made?

Will there be intermediate targets, scrutiny, and control measures? By when do you intend the Council's own operations to be carbon neutral?

Response from Cllr Hossack:

*A strategy has been created which will be published next year and will identify where we as an authority we want to be and by when. The strategy will lead to clear targets and objectives identifying appropriate areas of work the council should concentrate on that will create the most reward in this sector. In doing so, measures be put into place with the mechanism to record and publish achievements against the targets. The strategy will also seek to identify when the council will aim to become carbon neutral and the measures and steps the council will need to take in order to achieve that objective. The council has set an overall aim to be carbon neutral by 2040 as your question says - once a baseline has been established in relation to your first question for the council's own operations a more specific target can be set.*

Response from Cllr Aspinell:

*I look forward to all the data coming forward but as well as looking at carbon neutral for the housing that this council intends to develop itself we should also be looking at our local development plan and where it is possible adding into that that no buildings should be built unless they are carbon neutral on any of the sites this council has identified for building which is considerable. I think the last count 7 000, that's a lot of housing and that's an awful lot of carbon emission. The materials that are used for the building of those housing as the Labour Leader said, has a significant amount of carbon production for producing those materials so it isn't a quick and easy solution that some politicians might think it is. It needs an awful lot of legislation before we can look at this in reality and bring forward significant carbon reduction.*

Response from Cllr Barrett:

*I think in terms of your point, scrutiny wise in reality this has to become a key scrutiny in a key scheme of work for the Audit & Scrutiny Committee. If progress is to be made it needs to be monitored and that needs to make sure it isn't a green washing exercise. It's actually a statistically significant observable relationship with the programme. In terms of intermediate targets*

*and when we look at other large scale organisations when they start their carbon program we have a net zero target that council said 2040. I still think you'll be more ambitious than a 2030 target it's more than viable but to the same extent what most large organisations find is that the first 50% is actually the low-hanging fruit that could be achieved rather rapidly to achieve rapidly so actually the year that the first five year ambition is the really important one and then it gets progressively harder unfortunately but actually if we set a big ambition to hit early on, I think that's a viable and sensible plan to have. That level of ambition also sets a mark in the sand that we could be marked against rather than the long term 2040 target which will rely on new technologies to appear actually what we can do now probably can get us halfway let's set that ambition let's make it.*

Ms Alison Ingleby submitted one question.

1. Kimpton Avenue is seen as a quiet road but it experiences speeding vehicles and is a cut through between Doddinghurst Road and Ongar Road. We would like to know what influence the council has with Essex County Council?

Highways Dept to address this issue before there is a fatality, more damage to parked cars and theft of vehicles.

We support a traffic calming scheme, cameras and a speed reduction to 15 or 20 miles per hour in our road and in other residential roads.

We have learnt that there is traffic scheme in Chelmsford Road, South Woodford, where speed cameras are installed, residents register their vehicles and anyone not registered and speeding is caught on camera. This may have helped track the thieves that used our road as a cut through following a burglary in the town centre and also a resident's work van stolen (despite having a tracker fitted), both events happened within the last 2 months.

In the meantime, several residents are willing to undertaking speed gun training and put monitoring in place as this may be a deterrent in the short term.

Response from Cllr Hossack:

*I too live on a cut-through road that cuts through between Ongar Road and Doddinghurst Road in the same way that yours does. It probably has five times the properties on there significantly narrower and has far more congestion in terms of parked cars so I fully appreciate the situation that you're in. I'll answer your question in two parts, it may be something Cllr Aspinell might be more appropriate for him to come into. I notice we've been doing cross-leader question responses tonight which is absolutely fine with me but the simple answer is we're not the highway authority of Brentwood Council and we don't have any sway. The way the system works is Tier One*

government is Highway Authority and you have elected representatives to the Tier One – Essex County Council highway authority - one of whom is Cllr Aspinell who I actually understand has been on the case with this already and he might well respond with that. So we don't have any sway it's as simple as that and if you multiplied it out and I've made the point of beginning saying you're not alone in and I feel your pain. Essex County Council have a limited budget, some great ideas that you've brought forward there in terms of what could be done but of course they all come at a price. You mentioned speed cameras and revenue as though we could make money out of it - we don't make any money from speeding offences at all - it is a County matter and I'm sure Cllr Aspinell will assist you in there - he is your advocate to the highway authority. In terms of the secondary point, you talked about the speed watch that we can help you with. I understand that some of our officers and local Councillors have already been talking to residents about setting that up which is quite simple. I understand they are speaking to some residents at Kimpton Avenue and that we can do what is within our sphere of influence so very simply - that's great news if residents want to volunteer to be speed watchers - we'll get them trained up. Please contact [daniel.canon@brentwood.gov.uk](mailto:daniel.canon@brentwood.gov.uk) he will respond and you can put in there that you raised is a question and I gave him gave you his email address in this meeting he's the coordinator and he will gladly help you.

Response from Cllr Aspinell:

The Leader is right, although I wouldn't say Brentwood Council has no influence whatsoever because they have Members from Brentwood Council on the Local Highways Panel and it's the Local Highways Panel that will agree or disagree to any highway measures that we would like to introduce into your road. I have taken the opportunity already of requiring funding for a speed survey to be carried out in Kimpton Avenue, Warescot Road and Robin Hood Road so that we can get an idea of the total speed in that one area – this might be useful going forward if we can classify those roads as a cut through going forward. With the cameras, I totally agree we don't get a penny for that, neither Councils do - the Police receive the finding I think. The police are not welcoming speed cameras in our roads anymore but that's not to say that we can't apply. There are other types of cameras - average speed cameras - that are used elsewhere which may be the case in South Woodford and I do not know, which work on a different basis but yes, I fully support everything you would try to put in place. As for the speed watch, Pilgrim's Hatch Community Partnership have a fully trained group of people who go out and do speed watch regularly agreed by the police. They have a speed gun that they purchased and they would be more than willing to share with Brentwood North so that's all a step in the right direction.

Point of order from Cllr Hirst – the Police do welcome speed cameras.

## 225. Memorials or Petitions

Cllr Fulcher presented a petition to the Mayor.

Cllr Fulcher added that the petition was from the Kimpton Avenue residents requesting for the reinstatement of the trees that once lined their avenue.

This petition will be presented to a future Environment, Enforcement and Housing Committee meeting for consideration.

## **226. 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.

**Cllr Mrs Davies, put a question to the Chair of Environment, Enforcement and Housing Committee.**

*Does the Chair agree it is unacceptable for very elderly vulnerable sheltered housing tenants to receive demands stating they are in rent arrears and also threatening their tenancies? I have been contacted recently by an extremely distressed lady thinking she was under the threat of eviction - she'd stopped eating and sleeping and I was really concerned for her welfare. I want to thank Mrs Abbott for her assistance which you quickly established. Not only was the lady not in debt but in fact her account was in credit and it concerns me and I am sure it would concern the Chair and I would like to know, hopefully there are not too many cases of this kind.*

**Cllr Pearson, Chair of Environment, Enforcement & Housing Committee responded:**

*These letters are actually automatically generated and I wouldn't like to see anybody upset or off their food and not something I want for anyone. These are automatically generated and I will bring it up with Mrs Lilley to make sure that it doesn't happen again.*

**Cllr Kendall: First question to the Chair of Community & Health Committee.**

*In the past, Brentwood Centre has had a good reputation for providing help and support for residents dealing with mental health issues. What assurances can the Chair give to members that SLM, the new management operators, are going to try and provide a similar service?*

**Cllr Poppy, Chair of Community & Health Committee responded:**

*That's not quite accurate really because the it wasn't the Brentwood Centre that was doing the mental health work there, it was it was Chat First who are now part of Active Essex and are funded by Active Essex so I would say SLM*

*would like to help but I don't know if they can. I will try and find out for you and come back to you.*

**Cllr Kendall: Second question to the Chair of Policy, Resources & Economic Development.**

*In response to the Southend Local Plan and Southend's membership of ASELA , I understand that discussions have taken place between councils regarding Essex being split into two unitary authorities - one of which would be the councils under the ASELA umbrella. Can the Chair give us an update on these discussions and clarify what impact if any a change to a unitary will have on our own housing numbers?*

**Cllr Hossack, Chair of Policy, Resources & Economic Development Committee responded:**

*I know nothing of such discussions about unitaries and the way he described.*

**Cllr Mynott: First question to the Chair of Community & Health Committee.**

*In relation to the Discover Winter programme, I note that the list of programmed events includes 2 Brentwood Theatre Community Cinema events at Brentwood Theatre. I am fully in support of this but I was a bit curious as to whether these are actually council events and that's why they're being listed. To explain, I am a representative of the Brentwood Arts Council and there are clearly many other organisations across the borough which are putting on events at various different times of the year. It would be great on behalf of those organisations if the council was also helping to promote the existence of those events. I am wondering whether there's a reason why these have been included and others have been excluded? It would be great if we could include more in the future.*

**Cllr Poppy, Chair of Community & Health Committee responded:**

*As far as I know, we've done this in conjunction with Brentwood Theatre to advertise their event which is something they came to us about. In terms of the Arts Council, I can certainly find out and come back to you as to whether we've got a list of their events and we can certainly put them on the website as well.*

**Cllr Mynott: Second question to the Chair of Policy, Resources & Economic Development.**

*The report about the Town Centre conference in January 2022 inviting key stakeholders from a wide range of backgrounds to discuss the future of the High Street - according to the motion, I am assuming that these two things are the same; according to the motion that Cllr Hossack is putting which exists later on in the agenda, the proposals aren't the council's proposals but come from unnamed residents. I would like to know whether the council is always*

*going to be organising a conference if residents bring forward proposals that would be absolutely excellent. I am also concerned to know whether there will be a wider resident involvement amongst the “key stakeholders” in terms of the Town Centre conference particularly because at the moment there's been absolutely no communication whatsoever on this with Town Centre ward councillors and I would very much like Town Centre residents as a whole to be involved in this. It needs not to be a purely business related thing but for anybody who's decided to live in the Town Centre is a key stakeholder in the town heads up in the Town Centre.*

**Cllr Hossack, Chair of Policy, Resources & Economic Development Committee responded:**

*The Town Centre conference will take place on 11th January 2022. We have only agreed the date earlier this week and certain stakeholders have already had their invitations or been asked to put a placeholder in the diary to mark that it will take place. This will be at Brentwood Theatre and it will go from 7pm-9pm. Town Centre councillors, one from each ward will be invited. This is my intention because you are a stakeholder as a Town Centre councillor but there is limited capacity and I want as many members of the public there as possible. I think it's important that the public are able to get to hear what's going on. You might be conflating, I think you are infactual or assuming that it's done for a particular reason – it is not. It is a fact I am talking to some residents about ideas they've got about cultural and creative offering in the town centre. We are working with them as a council and we are shaping their suggestions. You can imagine that residents have a lot of enthusiasm to do things differently in the town centre and of course we don't have an unlimited budget and there are guidelines and health and safety and things that we need to follow in order to make such suggestions deliverable. We will listen to residents and we will take forward any suggestions they have. Some we might need to reject some we could enhance we'll see where it goes. The conference is not for that purpose that would probably form about one-eighth of the conference and you will get an agenda as a town centre councillor as we get nearer the time. Laurie Edmonds is administrating that and we're working with a number of presenters who would be at that conference. We are formulating the content as we speak which is not in response to residents coming forward. I think it's in response to a number of things there are concerns about the town centre. I think one of your motions coming forward later talks about it and we will deal with it in the motion but we all know there was a tragic event in the town centre a month or two back. This was where two young boys were murdered. There is a perception that crime is on the increase - factually that's not correct. Statistically it's not correct but nonetheless that was a real watershed moment for this town. Lots of people have acknowledged that so there is a time in this conference to reassure people factually as to what the situation is but also to give optimism to people around some of the ideas are coming forward, not just from residents but actually from this council itself. In particular, in terms of our regeneration plans. You all know we've had the Baytree Centre now for best part of nine months and I always was very keen that fairly soon after that we start to share the vision about what regeneration in the town centre would look. The*



*conference will be multifaceted it is about our high streets, not just about the town centre. Shenfield Councillors will also be invited as well and hopefully that gives you a bit more of an indication but you will be fully informed as the agenda takes shape. I am having formative conversations with presenters that will be there that includes Essex Police as well as a number of other organisations and that's what you'll find.*

**Cllr Naylor, First question to the Chair of Environment, Enforcement and Housing Committee.**

*I noticed in the Enforcement Controls section of the Chairs report, it says that Stop and Searches have been taking place. This reads as if the Enforcement Team of the Council themselves have been carrying this out. I assume that's probably incorrect and you mean they have been carried out with Essex Police? If so, what is the role of the Enforcement Team with Essex Police in the Stop and Search? Is it just simply the case that you are providing the evidence to Essex Police with the reasonable grounds to carry out Stop and Search?*

**Cllr Pearson, Chair of Environment, Enforcement & Housing Committee responded:**

*Our Enforcement Team work with and support Essex Police. I am happy to send you information offline for operational reasons around what they do but they support the police.*

**Cllr Naylor: Second question to the Chair of Policy, Resources & Economic Development Committee.**

*A report from the recent PRED Committee on Staff values and Behavioural Framework - I noted that there is going to be going to be a similar Framework for all Members. I was just wondering what the time scale is for that and whether it will actually apply to all members including leaders of groups, the Leader of administration and even the Mayor and Deputy Mayor?*

**Cllr Hossack, Chair of Policy, Resources & Economic Development Committee responded:**

*I don't like the word "framework" - we have something called a "Member's Code of Conduct". We are looking to bring a Standards Board forward which we will expect members to subscribe to the terms of our Code of Conduct, and if it's outside of that then that's the purpose of a Standards Board which I know members across the Chamber are very keen to see implemented. We are going to be discussing that on the 14<sup>th</sup> December at a Constitution Working Group.*

**Cllr Aspinell added a point of order:**

*It went to the PRED Committee last month and it was part of your agenda that you agreed. If you don't like the wording and you don't like the process of it or*

*the fact that we have to have one or saying we don't need one because we've got a Code of Conduct, that's totally different from protocol that's being talked about.*

***Cllr Hossack continued:***

*I don't like the word framework, I am very conversant with the values that we brought to the PRED Committee. We had a long and detailed discussion about the words used and what they meant. What you're talking about is the application of the values and it might be we discuss that in detail and there are some values actually that apply to officers that cannot apply to politicians - we had a very good discussion about that on the night so that will come back. I just don't like the word framework in terms of what it is to me it will be a set of values that we can subscribe to. Those values when we subscribe to them will also influence the way we conform to the Code of Conduct and the way we conform to the Code of Conduct then influences whether we have an appearance at Standards Board when we get one so that all of those things are linked together.*

*In terms of timescale, I will allow officers to assess their workload and determine when it will come back.*

*Cllr Hossack added from the previous question that Brentwood Borough Council Enforcement Officers do not have powers for "Stop and Search" – this is Police powers in which our officers assist the Police.*

**Cllr Laplain question to the Chair of Environment, Enforcement & Housing Committee.**

*Following on from a previous question from Cllr Davies, regarding a letter to residents, went out from Axis to a resident in sheltered accommodation with a threat of eviction which caused a great deal of upset. Angela Abbott did assist with that but I do find this somewhat draconian and I believe we should be mindful of who we are sending these letters to. If this is something that can be addressed so that our third parties understand how to approach people.*

**Cllr Pearson, Chair of Environment, Enforcement & Housing Committee. responded:**

*I will be happy to take this away and raise this with officers.*

**Cllr Aspinell question to the Chair of Policy, Resources & Economic Development.**

*Is it still your firm belief and policy to take us down the road of joining up with ASELA in the near future bearing in mind all the reports that are coming out from Thurrock Council that they are facing administration? Is this still your Administration's belief that we would be beneficial joining up with these multi-layered authorities that owe billions?*

**Cllr Hossack, Chair of Policy, Resources & Economic Development Committee responded:**

*It is not a policy of this Council to form a unitary with Thurrock Council. I do not know how many times I have to say it. It is not on the radar. When you look at these complex models of merger or forming a unitary, growth of unitaries, none of which were actively discussing at all in South Essex - it is for the Section 151 officers and the government in actual fact to look at the implications of what happens should a Council in a reasonably healthy situation financially or those that might be facing a challenge but moderate by comparison to the scale of the unitary, how that works because I certainly wouldn't want Brentwood Council to be carrying the multi-million pound debt of another authority. If that is the case, I think a lot of it is rumour and hearsay, and we only know when we actually look at the facts in terms of what the balance sheets of other Councils but it is a real complex issue it's not on the agenda. It is not on the agenda or our policy. I would be referring to the levelling up department for them to work it out. No way, there's a personal statement, one of the policy for Brentwood residents to be carrying the debt of another unitary authority should we ever if ever find ourselves going into a unitary situation. I would protest very strongly against it as I know you would Cllr Aspinell.*

**Point of information from Cllr Naylor:**

*If this council was to be part of a unitary bid after the white paper is released in January 2022, what would be the process of this council notifying members of that?*

**Response from Mr Stephenson:**

*We can all possibly predict what the Devolution Paper might be but we will publicise to all members from the Government website when it is released. I will try to make sure that all members receive notice of any major changes in Local Government that may be publicised.*

**Cllr Barrett question to the Chair of Policy, Resources & Economic Development.**

*In terms of our Medium Term Financial Plan and the difficulties we face ahead of us financially, I know from the list of potential savings and items - does the Leader think that there is potential for us given the financial circumstances we're facing that a report is brought forward and given in turn that we also have the Boundary Commission looking at us right now for a report on the relevant costs of different democratic systems of Brentwood in terms of thirds, halves or an all-out election. Given the financial circumstances we're facing and the advantage of the boundary review it makes sense that we consider these as a whole because in turn the cost of democracy whilst in theory you cannot put a price on it the reality is we're in different financial circumstances as a Council and if we can find a more effective form of governance I think*

*that's worthwhile. I would like to know what the Leader thinks whether that should be something we consider?*

**Cllr Hossack, Chair of Policy, Resources & Economic Development Committee responded:**

*I don't just think it, it is something we are going to be considering it. There's no way we can go to a Boundary Commission review in our current financial circumstance and not look at the cost options around all out thirds. With the number of councils that are represented in the scheme of things it's probably very small numbers but in point of principle I have asked the Monitoring Officer to present to us scenarios and put a cost figure to each of those for us to decide. There's absolutely no way we won't look at the cost of democracy and what's been said before you know there's a financial cost but there's a cost in terms of democratic deficit as well. That would be debate we would have at the time if that's what members felt it was but I've asked Ms Julian to give us exactly what you've asked for. This is something we should do at this point in time.*

**227. Arrangements to Appoint external auditors from 2023/24**

This item was deferred.

**228. Notice of Motion**

Ten motions were originally received. However, Cllr Dr Barrett & Lewis have sent their apologies this evening. Therefore Motions 1 & 9 have been deferred to a future Ordinary Council meeting.

**Motion 2 – Received on 2nd November 2021 @ 14.31**

**Mover: Cllr Fryd**

**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.*

Cllr Barrett declared an interest due to the nature of his employment and left the Chamber for the first two motions.

Cllr Nolan declared an interest that he works for a company mentioned by Cllr Aspinell.

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 Aspinell, Sarah Cloke, Cuthbert, Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Mynott and Naylor (11)

**AGAINST:** Cllrs Barber, Bridge, Heard, Hirst, Hones, Hossack, Nolan, Pearson, Poppy, Pound, Reed, Russell, Sanders, Tanner, Wagland, White and Wiles (17)

**ABSTAIN:** (0)

Cllr G Barrett – declared an interest and didn't take part in the vote

The Motion was **LOST**

**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.*

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 Aspinell, Sarah Cloke, Cuthbert, Davies, Fryd, Fulcher, Haigh, Heard, Kendall, Laplain, Mynott, Naylor and Sanders (13)

**AGAINST:** Cllrs Barber, Hirst, Hones, Hossack, Nolan, Pearson, Pound, Reed, Russell, Tanner, White and Wiles (12)

**ABSTAIN:** Cllrs Bridge, Poppy and Wagland (3)

Cllr G Barrett – declared an interest and didn't take part in the vote.

The Motion was **CARRIED**.

**Motion 4 – Received on 3rd November 2021 @ 09.42**

**Mover: Cllr Hossack**

**Seconder: Cllr Nolan**

*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.*

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 Barber, G Barrett, Bridge, Heard, Hirst, Hones, Hossack, Nolan, Pearson, Poppy, Pound, Reed, Russell, Sanders, Tanner, Wagland, White and Wiles (18)

**AGAINST:** (0)

**ABSTAIN:** Cllrs Aspinell, S Cloke, Cuthbert, Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Mynott, and Naylor (11)

The Motion was **CARRIED**.

**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.*

After a full discussion, voting took place by a show of hands. The motion was **CARRIED**.

**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.*

After a full discussion, voting took place by a show of hands. The motion was **CARRIED**.

**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.*

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 Aspinell, G Barrett, S Cloke, Cuthbert, Davies, Fryd, Kendall, Laplain, Mynott and Naylor (10)

**AGAINST:** Cllrs Barber, Bridge, Heard, Hones, Hossack, Nolan, Pearson, Poppy, Pound, Reed, Sanders, Tanner, Wagland, White & Wiles (15)

**ABSTAIN:** (0)

Cllr Hirst, Haigh and Fulcher declared an interest and left the Chamber for the discussion of this motion. They did and did not vote. Cllr Russell left during the debate on this item.

The Motion was **LOST**.

### **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.*

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 Aspinell, G Barrett, S Cloke, Cuthbert, Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Mynott and Naylor (12)



**AGAINST:** Cllrs Barber, Bridge, Heard, Hirst, Hones, Hossack, Nolan, Pearson, Poppy, Pound, Reed, Sanders, Tanner, White & Wiles (15)

**ABSTAIN:** Cllr Wagland (1)

The Motion was **LOST**.

**Motion 10 – Received on 16th November 2021 @ 16.16**

**Mover: Cllr Aspinell**

**Seconder: Cllr Mynott**

*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.*

After a full discussion, Cllr Hossack proposed an **AMENDMENT** to the motion agreed by the mover Cllr Aspinell and seconder Cllr Mynott of the motion to:

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

Voting took place by a show of hands.

The motion was **CARRIED**.

## **229. Urgent Business**

There were no items of Urgent Business to discuss.

The meeting closed at 10.15pm.

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## Minutes

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### Extraordinary Council Wednesday, 26th January, 2022

#### Attendance

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

#### Apologies

Cllr Mrs Davies  
Cllr Hirst  
Cllr Jakobsson

#### 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)
Steve Summers	- Strategic Director
Ian Winslet	- Strategic Director
Tracey Lilley	- Corporate Director (Housing & Enforcement)
Angela Hutchings	- Strategic Director (Rochford District Council)

## **LIVE BROADCAST**

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

### **274. To appoint a Member to preside at the meeting if the Mayor nor the Deputy Mayor are present and able to preside**

The Mayor and Deputy Mayor were both present at the meeting.

### **275. Apologies for Absence**

Apologies for absence were received from Cllrs Hirst, Jakobsson and Mrs Davies.

### **276. Declaration of Interest from Members and Officers**

There was none at this stage.

### **277. Brentwood/Rochford Partnership**

Members were asked to approve the creation of a formal strategic partnership between Brentwood Borough Council (the Council) and Rochford District Council (RDC) in accordance with Heads of Terms agreed between the two councils.

To approve the drawdown of £300,000 to programme resource the Transformation Unit and for the implementation of the organisational structure required to deliver the strategic outcomes of the partnership.

To consider the recommendations made by the Audit & Scrutiny Committee following their pre-scrutiny of this report on 12 January 2022 and the additional recommendations made by the Rochford District Council's Review Committee on 13 January 2022.

Mr Summers informed Members of an amendment to recommendation 8, to state the inclusion of the Audit & Scrutiny Committee (Brentwood) together with the Review Committee (Rochford).

Cllr Nolan, Chair of the Audit & Scrutiny Committee presented a brief overview of the meeting on 12 January 2022 and the recommendations from that meeting that have been included in this report.

Cllr Hossack advised that the Leader and Deputy Leader of Rochford District Council, Cllr's Wootton and Roe, were in attendance. Cllr Hossack also thanked officers, especially Steve Summers and Angela Hutchings for their

work on the partnership arrangements and the work over the last 6 months by Mr Stephenson at the Interim Chief Executive for both authorities.

Cllr Hossack **MOVED** and Cllr Nolan **SECONDED** the recommendations within the report.

After a full discussion, Cllr Lewis **MOVED** and Cllr Aspinell **SECONDED** an amendment to the recommendation to include:

*not more than six months from the date of the agreement there will be an evaluation and review of and these there are five points:-*

1. *the performance and effectiveness of the partnership*
2. *the impact of the partnership upon the council's staff*
3. *impact of the partnership upon the council and its finances*
4. *whether or not the partnership is in the best interests of the council*
5. *to evaluate and review the partnership annually in accordance with paragraphs one to four above with a written report being brought before full council for consideration by members*

Cllr Hossack, the **MOVER** of the motion, did not accept the amendment.

Members expressed concerns over lack of consultation with residents and the scrutiny of the partnership arrangement.

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

Members returned to the **SUBSTANTIVE MOTION**.

Cllr Lewis **MOVED** and Cllr Aspinell **SECONDED** an amendment to the substantive motion to include finance pressures relating to resource.

Cllr Hossack, the **MOVER** of the motion, did not accept the amendment.

After clarification from Officers, Cllr Lewis **WITHDREW** his amendment.

A recorded vote was requested by Cllrs Aspinell, Hossack, Parker, Laplain and Mynott and was taken in accordance with Procedure Rule 9.5.

The members voted as follows:

**FOR:** Cllrs Barber, Bridge, J Cloke, Gelderbloem, Heard, Hones, Hossack, McLaren, Nolan, Parker, Pearson, Poppy, Pound, Reed, Russell, Sanders, Tanner, Tierney, Wagland, White and Wiles (21)

**AGAINST:** Cllrs Aspinell, Barrett, Dr Barrett, S Cloke, Cuthbert, Fryd, Fulcher, Haigh, Kendall, Laplain, Lewis, Mynott and Naylor (13)

**ABSTAIN: (0)**

It was **RESOLVED.**

- R1. To agree the Strategic Partnership between Rochford District Council and Brentwood Borough Council and that Jonathan Stephenson is the Joint Chief Executive for both councils with effect from 1 February 2022.**
- R2. To approve the Heads of Terms set out in Appendix A.**
- R3. That the Joint Chief Executive and the Monitoring Officer of each council, be given delegated authority, in consultation with the Leader of each council, to enter into a Memorandum of Understanding and s113 Agreement to give effect to the Partnership.**
- R4. That the Joint Chief Executive be given delegated authority to undertake a restructure of Tiers 2 and 3 of the councils in consultation with the Leader of each council.**
- R5. That a maximum of £300,000 (as set out in paragraph 6.7 of this report) be allocated from general reserves to fund the additional programme resource for the Transformation Unit.**
- R6. That the Monitoring Officer be given delegated authority in consultation with the Constitution Working Group to make any required changes to the Constitution to give effect to the recommendations in this report.**
- R7. That the MOU and s113 Agreement makes provision for robust Exit Arrangements and a member led Conflict Resolution Process.**
- R8. That the s113 Agreement comes to the Review Committee (Rochford) and Audit & Scrutiny (Brentwood) for scrutiny before it is executed.**
- R9. That feedback from residents as to the impact of the partnership on services is regularly sought and reported upon.**
- R10. That there be an early review of technology in Phase 2 of the Transformation Programme to identify threats and/or opportunities.**
- R11. That the MOU and/or document that underpins the Strategic Partnership makes clear that whilst the division of the savings achieved as part of the transformation process is to be agreed**

**between the two councils, that the starting point for that discussion should be 50/50.**

**278. Urgent Business**

There were no items of urgent business.

The meeting ended at 20.08



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## Minutes

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### Ordinary Council Wednesday, 23rd February, 2022

#### 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 Cuthbert	Cllr Naylor
Cllr Mrs Davies	Cllr Nolan
Cllr Mrs Fulcher	Cllr Parker
Cllr Fryd	Cllr Mrs Pearson
Cllr Gelderbloem	Cllr Poppy
Cllr Haigh	Cllr Mrs Pound
Cllr Heard	Cllr Tanner
Cllr Hirst	Cllr Wagland
	Cllr White
	Cllr Wiles

#### Apologies

Cllr S Cloke	Cllr Tierney
Cllr Russell	

#### Officers Present

Phoebe Barnes	- Corporate Manage (Finance) and Deputy Section 151
Greg Campbell	- Corporate Director (Environment and Communities)
Philip Drane	- Corporate Director (Planning and Economy)
Amanda Julian	- Corporate Director (Law & Governance) and Monitoring Officer
Tracey Lilley	- Corporate Director (Housing & Community Safety)
Claire Mayhew	- Corporate Manager (Democratic Services) Manager
Jonathan Stephenson	- Chief Executive
Ian Winslet	- Strategic Director
Angela Hutching	- Strategic Director – Rochford District Council
Jacqueline Van Mellaerts	- Director Corporate (Finance & Resources) and Section 151 Officer

## **LIVE BROADCAST**

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

### **296. Apologies for Absence**

Apologies were received from Cllrs S Cloke, Russell and Mrs Tierney.

The Mayor, announces the passing of past Councillor Vivienne Russell.

Vivienne was a Liberal Democrats councillor for Hutton East Ward between 1991-2002. Over her years as a Councillor, she played an active role in many Committees and Boards including Chairing the Planning Committee; Policy Committee; a member of Country Parks and Recreation Committee as well as representing Hutton horticultural Society Allotment Management.

Deepest condolences have been sent to Vivienne's family on their sudden loss and the Mayor ask that everyone joins her in observing a minute's silence in her memory.

Members of the Council paid tribute to Vivienne.

### **297. Declarations of Interest**

There were no declarations of interest at this stage.

### **298. Review of Local Council Tax Discounts 2022/23**

In March 2021, following a motion at Full Council by the Labour Group, which was accepted in February 2021, Policy, Resources & Economic Development Committee (PRED) resolved to review Council Tax Discretionary Discounts and report options to a future PRED Committee.

In September 2021, Members reviewed the options available and agreed to consult with residents on three discretionary discounts to make amendments to the scheme of Council Tax Discounts and Premiums with effect from 1 April 2022, using discretionary powers granted by the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

This report outlines the results from the consultation and proposed changes to the scheme.

On 24th November 2021, PRED Committee resolved the following recommendations below, and now refers to Ordinary Council for approval.

The Motion was **MOVED** by Cllr Hossack and **SECONDED** by Cllr Parker.

After a brief debate, a vote was taken by a show of hands.

The Motion was **RESOLVED UNANIMIOUSLY** to:

1. **Remove the Council Tax discretionary discount for Empty and Unfurnished properties from 1 April 2022.**
2. **Remove the Council Tax discretionary discount for Second Homes from 1 April 2022.**
3. **Not change The Council Tax discretionary discount for Empty & Uninhabitable properties from 1 April 2022.**

### **Reasons for Recommendation**

Properties that are vacant for long periods of time, can lead to problems with squatters, anti-social behaviour and have a direct impact on the amount of housing available in the Borough. The removal of these discounts would incentivise the owners to bring properties back into use and occupation with less delay.

Currently two local Council Tax discounts the Council are reviewing to remove are costing Brentwood Council £13,519 per annum, and the precepting authorities collectively £113,344 per annum. This would generate additional income to the collective Councils to reinvest within their services.

Legislation will still allow the Council to award discretionary support to people in exceptional circumstances and each request will be given due care and consideration and assessed on its own merits.

### **299. Budget 2022/23**

The report and appendices set out all the relevant information in support of setting the Councils Budget for General Fund services and Council Tax for 2022/23, together with financial forecast information through to 2024/25. Also included is information on the Housing Revenue Account (HRA) budget for 2022/23 and the Capital Programme 2022/23 to 2024/25.

- (i) Appendix A - The General Fund budget proposals for 2022/23 to 2024/25.
- (ii) Appendix B - The Housing Revenue Account (HRA) budget proposals for 2022/23 onwards.
- (iii) Appendix C - The Capital and Investment Strategy for 2022/23 including the Capital Programme 2022/23 to 2024/25
- (iv) Appendix D – Fees & Charges Schedule 2022/23

- (v) Appendix E - Pay Policy Statement
- (vi) Appendix F - Section 151 Officers Assurance Statement and useful information
- (vii) Appendix G - Corporate Strategy Budget Summary
- (viii) Appendix H – Council Tax Resolution 2022/23

The budget was considered by the Policy, Resources and Economic Development Committee on 2nd February 2022 and has been recommended to Ordinary Council for consideration and approval.

The figures presented summarise the detailed service budgets, together with known adjustments including the impact of the provisional central government grant funding along with financial implications of COVID-19.

The key elements of the proposed budget are:

#### General Fund

- 1) £5 increase in Council Tax for 2022/23 for Brentwood Council services.
- 2) Earmarked Reserves to set aside appropriate balances to mitigate future financial risk and build up in borough regeneration.
- 3) Future uncertainty of Local Government Financing.

#### Housing Revenue Account

- 1) For 2022/23 a budget that delivers a small surplus of £34k.
- 2) Increase in rents of CPI plus 1% per annum; equating to 4.1%.
- 3) Continued investment in the delivery of Decent Homes and Development of Housing within the Borough.
- 4) Significant investment in the Strategic Housing Delivery Programme ensuring the 30 year business plan is sustainable.

#### Capital

- 1) Total capital investment of £41.420 million in 2022/23
- 2) Subsequent investment of £38.9 million & £22.3million from 2023 to 2025.

No amendments to the Budget 2022/2023 were received prior to the meeting.

Member's thanked the Finance Team for the work on the Budget, especially Mrs Van Mellaerts and Miss Barnes.

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

After 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 Barber, Bridge, J Cloke, Mrs Gelderbloem, Heard, Hirst, Mrs Hones, Hossack, Jakobsson, McLaren, Nolan, Parker, Mrs Pearson, Poppy, Mrs Pound, Reed, Ms Sanders, Tanner, Wagland, White & Wiles (21)

**AGAINST:** Cllrs Aspinell, Barrett, Dr Barrett, Cuthbert, Mrs Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Lewis, Mynott, Naylor (13)

**ABSTAIN:** (0)

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

1. **Approval the General Fund Budget 2022/23 and Medium-Term Financial Strategy as set out in Appendix A**
2. **Approve that Council Tax has a £5 increase for 2022/23, the charge of Band D property increases to £198.63 per annum for Brentwood Council services only**
3. **Approve the HRA budget 2022/23 including the 30-year HRA Business Plan within Appendix B**
4. **Approve an increase to rents for 2022/23 by CPI plus 1%, a total of 4.1%**
5. **Approve the Capital and Investment Strategy in Appendix C including the Capital Programme**
6. **Approve the Fees & Charges Schedule in Appendix D**
7. **Approve the Pay Policy Statement in Appendix E**
8. **To note the Section 151 Officers Assurance Statement in Appendix F**
9. **That:**
  - (1) **The formal resolutions to set the Council Tax level for 2022/23 be made as set out in Appendix H (page 4 to 8) are approved.  
And in the absence of a formal precept demand from Essex County Council, Essex County Fire and Rescue Service and Police Fire and Crime Commissioner;**
  - (2) **Delegated authority is given to the Section 151 Officer to notify all members of the Council once the precept demand is received; and to set the overall Council tax level for 2022/23 should there be any changes that effect Table 2, 3, 6 & Table 7 in Appendix H.**
    - ii.

### **Reasons for Recommendation**

Effective financial management underpins all the priorities for the Council and will enable the Council to operate within a sustainable budget environment.

The Council is required to approve the Budget as part of the Budget and Policy Framework

### **300. Arrangements to appoint External Auditors from 2023/24**

The report outlines a recommendation to Council to opt into the appointing persons arrangement made by the Public Sector Audit Appointments (PSAA) for the Councils external auditor appointment for the accounting periods 2023/24. To meet deadline of 11 March 2022.

The Motion was **MOVED** by Cllr Hossack and **SECONDED** by Cllr Parker.

After a brief discussion, a vote was taken by a show of hands.

The Motion was **RESOLVED** to:

- 1. Recommend to Ordinary Council that the Council opts into the proposed central arrangements for appointing external auditors for the accounting periods 2023/24 – 2027/28. (Option 3)**

### **Reasons for Recommendation**

To ensure the Council has proper arrangements in place for an External Audit function.

### **301. Urgent Business**

There were no items of urgent business.

The meeting ended at 20.25

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 16 March 2022
<b>Subject:</b> Corporate Peer Challenge	<b>Wards Affected:</b> All
<b>Report of:</b> Jonathan Stephenson, Chief Executive	<b>Public</b>
<b>Report Author:</b> Name: Steve Summers, Strategic Director (Deputy Chief Executive) Telephone: 01277 312500 E-mail: steve.summers@brentwood.gov.uk	<b>To note/For Decision</b>

## Summary

Brentwood Borough Council invited the Local Government Association to conduct a Corporate Peer Challenge in November 2021.

The Peer Team issued their Feedback Report on the 23rd February 2022 and is attached as Appendix A. In accordance with the LGA Corporate Peer Challenge process the report and draft action plan will be formally published on the Council's website within 6 weeks of the council receiving the report.

The LGA will undertake a follow up visit in late summer and update monitoring reports on the action plan will be made to the Policy, Resources and Economic Development Committee.

## Recommendation(s)

- R1. That Members note the Corporate Peer Challenge Feedback Report attached at Appendix A.**
- R2. Members agree that regular update reports on the action plan are made to the Policy, Resources and Economic Development Committee.**

## Main Report

### **Introduction and Background**

1. Brentwood Borough Council invited the Local Government Association to conduct a Corporate Peer Challenge in November 2022. The review took place on the 9<sup>th</sup> to 12<sup>th</sup> November 2021.
2. Corporate Peer Challenges are conducted by experienced Member and Office peers from across local government who are chosen to reflect the requirements and focus of the review.

3. They are improvement focussed and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement plans.
4. The Peer Team spoke to councillors, officers, partners and stakeholders. At the end of the site visit the Peer Team provided a presentation of their findings.

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

5. The Corporate Peer Challenge Feedback Report highlighted a number of positive areas:
  - Strong political and officer leadership
  - Councils' ambition along with its bold persona
  - The organisational culture is admirable
  - Pace of delivery, especially during the pandemic was impressive and a testament to the dedication and commitment of staff and councillors
  - Number of projects delivered in first year of Corporate Strategy in addition to the core business
  - Other organisations see BBC as a partner of choice
  - The financial arrangements of the Council are fundamentally sound
6. However, there were a number of observations that the Council needs to address in order to meet the challenge of meeting our objectives set out within the Corporate Strategy 2020-25.
  - There is insufficient resilience in the system to deliver all the councils' aspirations and needs to focus on a smaller set of priorities
  - Need to develop workforce plan to consolidate strands of work which will support the councils' ambitious delivery programme
  - Poor councillor behaviour at public meetings
  - A more diverse budget strategy is developed
7. Since the publication of the report Officers are currently developing an action plan to set out a pathway to deliver the Peer Team's key recommendations which are set out on pages 5 and 6 of the appendix. It is intended that this action plan will be presented to and monitored on a regular basis by the Policy, Resources and Economic Development Committee.
8. In accordance with the LGA Corporate Peer Challenge process the report and draft action plan will be formally published on the Council's website within 6 weeks of the council receiving the report.



9. The Corporate Peer Challenge process includes a six-month check-in meeting. This will be a short, facilitated session which creates space for the council's senior leadership to update peers on its progress against the action plan and discuss next steps.

### **Reasons for Recommendation**

10. To ensure that the Peer Review recommendations are implemented and regularly reviewed.

### **Consultation**

11. None.

### **References to Corporate Plan**

12. An Action Plan will assess the impact and effectiveness of the Council to deliver against the key priorities set out within the 2020-25 Corporate Plan.

### **Implications**

#### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources) and Section 151 Officer**

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

13. There are no direct financial implications arising from this report. The peer review was conducted using existing resources and no additional costs were required. Any actions or outcomes that which have resulted from the peer review feedback will be evaluated against available budgets within the Medium Term Financial Strategy.

#### **Legal Implications**

**Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer**

**Tel & Email: 01277 312500/amanda.julian@brentwood.gov.uk**

14. There are no direct legal implications arising from the report. The implementation of the recommendations may require further legal and governance advice which will be provided as we implement these.

### **Economic Implications**

**Name/Title: Phil Drane, Corporate Director (Planning & Economy)**

**Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk**

15. There are no direct economic implications. Specific feedback regarding the pace of delivery achieved and future resilience informing the prioritisation of objectives will need to be considered as part of economic growth aims.

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

16. None

### **Background Papers**

17. None

### **Appendices to this report**

Appendix A: Corporate Peer Challenge Feedback Report


# LGA Corporate Peer Challenge

Brentwood Borough Council

9 – 12 November 2021

Feedback report





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# 1. Executive summary

Brentwood Borough Council (BBC) is one of 12 district, borough and city councils in Essex. It covers around 153 square kilometres, making it the ninth largest by area in Essex. With a population of around 76,550, BBC is the second smallest council, by population in Essex - however, it is not to be underestimated. The peer team were taken aback with the council's ambition along with its bold persona, driven by strong political and officer leadership. The corporate strategy for 2020-2025 details the substantial programme of work the council aspires to deliver. Impressively, peers saw how much had already been achieved in its first year. Notable projects included the roll out of a new recycling scheme, community co-design of Dunton Hills Garden Village, reopening of Brentwood Leisure centre following liquidation of the Trust, delivery of numerous community events and activities and progression of the Brookfield Close (zero carbon) housing development from vision to planning permission in 12 months. These were all in addition to the council's core business.

The pace of delivery, especially during the pandemic was impressive and testament to the dedication and commitment of staff and councillors at BBC. The organisational culture is admirable. The "can do" attitude and officer support for each other is akin to a family (which can have its downsides) and best described as "the Brentwood way". Staff held the leadership in high regard and described how over the past two years there had been a "step change" providing energy, opportunity and change which the whole council was embracing.

However, peers did see evidence of weariness, which given the challenges of the past 18 months is not uncommon, the pace of delivery was now taking its toll and was seen as a concern. BBC currently has insufficient resilience in the system to deliver all the councils' aspirations and needs to focus on a smaller set of priorities to ensure timely delivery whilst also building in resilience to key service areas to manage the risks associated with single points of failure. Peers strongly recommend developing a new workforce plan to consolidate strands of work which will support the council's ambitious delivery programme.

BBC was commended for its engagement with partners, businesses and stakeholders, particularly throughout the pandemic. Reference was made to the

information produced and distributed involving varying channels of communication used during the pandemic to keep everyone updated on the evolving situation and for the efficient and timely distribution of business grants. The council's role as community leader, holding all the elements of work together and coordinating the response was seen by all as exemplary. The Brentwood Business Partnership, community projects including Lighthouse Furniture and other councils in South Essex, see BBC as a partner of choice and the Association of South Essex Local Authorities (ASELA) praised the contribution BBC had made to the partnership. However, beyond South Essex, BBC was less visible - with the larger districts having a stronger voice and achieving greater attention. Peers recommend more work is done to observe approaches taken in North Essex around partnerships and learn from some of the best practice being showcased.

Whilst the council is currently viewed externally in a favourable light, there have been instances of poor councillor behaviour at public meetings. It is important this conduct is challenged and dealt with expediently to prevent the actions of a few impacting on the whole council's reputation and detracting from the great work being delivered. Some honest and open conversations need to take place at the political level to build trust and confidence, share the workload and build capacity. Peers encourage the council to embrace the skills of the senior political leadership team and build on the good member development programme already in place to ensure there is an effective political succession plan.

The Council's financial strategy is largely focussed on capital expenditure for regeneration and investment purposes financed through prudential borrowing (£121m in 2020/21). The peer team questioned whether sufficient revenue resource was available to deliver services and give organisational capacity, particularly where there will be a need for highly skilled programme and technical staff to deliver the ambitious capital programme. There was also a concern that an over reliance on commercial activity was detracting from the great work BBC was doing in other areas of the council such as through its communities' team and various partnerships.

Peers recommended a more diverse budget strategy was developed - looking at the opportunities through partnership working (with Rochford and others), transformation and efficiencies would reduce the risk, should the investments not reach full potential. There was also a potential conflict of interest between the Joint Venture (Brentwood

Development Partnership), SAIL and the Council over the objectives for new developments (profit vs community benefit including affordable housing). The Council should consider the future of the BDP in the light of new capacity to directly deliver sites whilst considering the potential impact on SAIL.

The council has a positive approach to partnership working and has various shared service arrangements with other public sector providers. The new strategic partnership with Rochford District Council and sharing of CEX post was seen as a positive step by peers and they encourage the council to explore further opportunities for sharing knowledge, capacity and skills. Peers recommend BBC develops a partnership plan to ensure existing partnership arrangements are appraised and compared - with performance and value for money strong considerations. Consider these in light of new opportunities with Rochford or others which will provide greater resilience over the longer term.

## 2. Key recommendations

There are a number of observations and suggestions within the main section of the report. The following are the peer team's key recommendations to the council:

### 2.1. Recommendation 1

**Build your capacity to deliver your ambitions** – there is insufficient resilience in the system to deliver all the councils' aspirations.

### 2.2. Recommendation 2

**Prioritise on your key projects** – Focus on delivering a smaller number of key projects at pace and within the capacity available to avoid undue pressure.

### 2.3. Recommendation 3

**Invest in success** – Develop a new workforce strategy, align pay, refresh and implement corporate learning and development.

### 2.4. Recommendation 4

**Grow your political leaders** – Develop and empower councillors to efficiently

succession plan.

### **2.5. Recommendation 5**

**Develop a more diverse budget strategy** – Expand the focus to include efficiencies through transformation, partnership working and future opportunities.

### **2.6. Recommendation 6**

**Rationalise the investment structure** – Review the interrelation of Brentwood Development Partnership (BDP), Seven Arches Investments Limited (SAIL) and BBC.

### **2.7. Recommendation 7**

**Promote the “Brentwood way”** - The culture of BBC is the councils unique selling point to continue to grow and develop maximise externally.

### **2.8. Recommendation 8**

**Have a plan for partnerships** – review existing arrangements to ensure they are still value for money and meeting the council’s objectives.

### **2.9. Recommendation 9**

**Consider wider opportunities** – Other partners and stakeholders want to work with you to help deliver services.

### **2.10. Recommendation 10**

**Demonstrate good standards in public office** – Councillors can also demonstrate and adopt the “Brentwood way”.

## **3. Summary of the peer challenge approach**

### **3.1. The peer team**

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected the focus of the peer challenge and peers were selected on the basis of their relevant expertise. The peers were:



- Bill Cullen, Chief Executive Peer - Hinckley and Bosworth Borough Council
- Cllr William Nunn, Member Peer - LGA Regional Peer, Breckland District Council
- Sarah Gobey, Officer Peer - Chief Financial Officer, Adur District and Worthing Borough Councils
- Andy Wood, Officer Peer – Service Lead for Growth, Development and Prosperity, East Devon District Council
- Annabel Crouch, Officer Peer - Policy Manager, Elmbridge Borough Council
- Kirsty Human - LGA Peer Challenge Manager
- Rachel Stevens - LGA Project Support Officer

### 3.2. Scope and focus

The peer team considered the following five themes which form the core components of all Corporate Peer Challenges. These areas are critical to councils' performance and improvement.

1. **Local priorities and outcomes** - Are the council's priorities clear and informed by the local context? Is the council delivering effectively on its priorities?
2. **Organisational and place leadership** - Does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?
3. **Governance and culture** - Are there clear and robust governance arrangements? Is there a culture of challenge and scrutiny?
4. **Financial planning and management** - Does the council have a grip on its current financial position? Does the council have a strategy and a plan to address its financial challenges?
5. **Capacity for improvement** - Is the organisation able to support delivery of local priorities? Does the council have the capacity to improve?

In addition to these questions, you asked the peer team to provide feedback on:

## 6. Shared services and partnership working arrangements.

### 3.3. The peer challenge process

Peer challenges are improvement focused; it is important to stress that this was not an inspection. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. The team then spent one and a half days virtually followed by two days onsite in Brentwood, during which they:

- Gathered information and views from more than 30 meetings, in addition to further research and reading.
- Spoke to more than 90 people including a range of council staff together with members and external stakeholders.

This report provides a summary of the peer team's findings. In presenting feedback, they have done so as fellow local government officers and members.

## 4. Feedback

### 4.1. Local priorities and outcomes

Brentwood Borough Council (BBC) is one of 12 district, borough and city councils in Essex. It covers around 153 square kilometres, making it the ninth largest by area in Essex. At its centre is the market town of Brentwood with town centres at Shenfield and Ingatestone to the Northeast. There are excellent transport networks, a wide selection of schools, shops, employers and recreation activities that make Brentwood desirable to businesses and residents. The town is surrounded by countryside and smaller villages, 89% of which is in the greenbelt. It is this unique mix of market town, villages and green space just 20 miles out of central London that is essential to the character of the borough

BBC has a five-year corporate strategy (2020 – 2025) which was developed throughout the summer of 2019, informed by residents, councillors and stakeholders. It sets out the council's five key priority areas, summarised neatly by "Growing, Protecting, Developing, Improving and Delivering". The strategy is monitored by officers and committees along with other key performance indicators as part of the council's performance management framework and an annual progress report is produced to highlight the achievements that have been made against the years objectives.

Whilst staff and stakeholders clearly understood the corporate strategy, peers heard there was a tendency to add projects to the already ambitious programme and this was causing confusion over priorities and stretching resources. There was no doubting the good intent behind some of these extra projects, for example, purchasing of The Baytree Centre – expectations around the pace of delivery on other key projects need to be reduced. The inconsistent approach to service planning was also impeding staff understanding of what work took precedence and how their contribution was supporting the delivery of the council's overall ambitions. Peers supported the introduction of the new major project board and programme board and recommend these are effectively utilised to prevent scope creep - be clear on the priorities, stick to them, communicate them and identify what needs to be paused or stopped to enable delivery within available resources.

The Corporate strategy opens with the statement "Brentwood is open for business"

which peers interpreted as primarily focusing on just business and economy – potentially overlooking aspects of work, such as work with communities which peers found was held in high regard. Through discussions, it emerged the council intended the statement to have a much wider meaning around being open to work with and do business with everyone. However, the innocent misinterpretation provides an opportunity for the council to provide clarity around its vision and narrative in future reviews of the strategy.

There are sound mechanisms for performance, project and programme management based around PRINCE2/MSP/Agile methodologies and managed by the programme office. The phased approach to projects is clear and the “plan on the page” as the initial stage is a quick and efficient way for ideas to be considered before further development into business cases and project initiation documents. Highlight reports are presented to the programme board on a monthly basis to provide the required oversight. The Corporate strategy and KPIs are managed through a dashboard which details progress made and has a RAG status to identify direction of travel.

Performance against headline comparators with statistical near neighbours is generally good, (See [LG Inform Headline Report](#)) although peers did highlight the cost of central services, planning and environmental services as being high, in some cases over double the average. It was recognised that within these services there are some partnership arrangements. Peers strongly recommend a cost/benefit review to ensure there is sufficient value and financial benefit in these arrangements.

Delivery continued at pace during the pandemic. Despite taking a leading role in the response phase, BBC implemented a new recycling scheme which removed 3.5 million single use plastic sacks, increased revenue by £150k and increased the quality and quantity of dry recyclables. This implementation contributes greatly to local climate and environmental targets, setting the example as a place leader on taking positive action. The five-year leisure strategy continued, with the refurbishment of four play areas (two more to be completed in early 2022) and commencement of the pavilion and play areas at King Georges Playing Field. Following the insolvency of the Brentwood Leisure Trust, BBC swiftly reopened the centre in two months to provide much needed leisure facilities during the pandemic, before commissioning SLM to manage the centre on a two-year contract. The council’s flagship, 62 zero-carbon homes regeneration project at Brookfield Close

continued and was taken from concept, through to public consultation and planning consent in a year. This will provide much needed quality affordable housing for the borough and meets with the sustainability and climate aspirations of the council.

Don't undersell yourselves - peers heard from staff that external communication of the council's achievements could be improved to ensure all residents have increased awareness of the good work being delivered in and for communities.

There is an understanding of current and future needs across the borough, with communities, businesses and young people regularly engaged through the regular resident's survey, focussed consultations such as Dunton Hills Garden Village, the Brentwood Business Partnership and numerous community events. Other than during the pandemic, it wasn't clear to peers was how BBC engages with other under-represented groups such as ethnic minorities and older people to understand their needs and ensure equality in service provision and to inform related policy development. Further visibility of this work should be prioritised.

Brentwood is home to a vast number of schools, over 30 primary and nine secondaries. Engagement with young people takes place through a number of channels including the community's team, Community Safety Partnership (CSP), youth services and leisure. There is a plan to implement a youth council early in 2022 and the council's apprentices have been working with the leader to develop the terms of reference and publicity information to share with schools. An early topic to engage young people will be focused around climate change and the role young people can play in supporting the council with its aspirations.

Businesses and community groups praised the council for its response during the pandemic, highlighting the important role of coordination of response locally and in the administration of business grants. There is an opportunity with the emerging economic development strategy to reflect changes and adaptations to a post-pandemic world and the benefits this brings locally – for example more home working and less travel into the city leading to busier high streets and cafes during the day.

The council is investing in place and has jointly secured £11m through the ASELA partnership across South Essex for regeneration and infrastructure projects. More locally the purchase of The Baytree Centre and Childerditch Business Park provide income which will help the council financially, enabling reinvestment and

regeneration of the town centres.

The council is on a journey to “going green” and has invested in a dedicated officer to develop the green strategy for the borough. It is working with partners such as Essex County Councils CORE group, environmental group, residents’ environmental group and ASELA to drive action on reducing carbon emissions. Key achievements so far include planting 6800 trees, introducing EVC charging points in car parks, building carbon neutral homes, introducing electric vehicles to the council’s fleet and realigning procurement processes. The new Brentwood Environmental Business Alliance (BEBA) is an extension of the council’s commitment to climate action, initiated to support the borough being carbon neutral by 2040, 25 local businesses have already signed up. Peers admired the commitment and actions already taken and recommend the council maintain momentum on its transition to a zero-carbon economy. The dedicated officer has been recruited on a fixed term basis and it will be important to consider future capacity requirements and how carbon reduction can be mainstreamed throughout the Council’s activities, for example through integrating this into Service Plans.

#### **4.2. Organisational and place leadership**

The leader and chief executive provide strong leadership to the organisation and place and are respected by partners. Throughout internal and external conversations peers consistently heard praise for the leadership, a direct quote was “Chris and Jonathan are a dynamic duo.” Over the past two years, the council has been on a journey, staff describe this as a step change. The chief executive has provided ambition and energy, demonstrated openness and honesty whilst developing talent and capacity. Officers at all levels described the chief executive and the leadership team as visible and supportive. One director was singled out by staff who told peers they send a monthly newsletter to their team updating on projects, health and wellbeing and things they are reading and listening to – other staff in the room were rather envious.

Public sector partners had witnessed the positive impact made and described the chief executive as an ambassador for the council with the gravitas required to develop constructive partnership connections across Essex. The Association of South Essex Local Authorities (ASELA) praised the contribution BBC had made to

the partnership. In particular the leaders work in lobbying for more accountability and transparency which led to an enhanced governance structure with published agendas, minutes and external accountability. The Chief Executive leads on the 'Housing Ambition' which is one of five key ambitions of the partnership. As a member of ASELA, Brentwood benefits from the collective power of the partners, place shaping at scale to deliver significantly more benefits to residents that it would be able to do alone.

BBC is a partner of choice in South Essex. There are positive relations with the business and voluntary communities and relationships were further developed during the pandemic, with praise given to the economic development team and leadership for the communications (hand delivered by councillors), branding (Open) and grant support (currently over £52m) which was "head and shoulders ahead of neighbouring districts." Peers heard stories from the community on how the council worked with them to troubleshoot and source logistics – for example the charity that following a call for help collected 1000 litres of milk from a cruise ship docked at Tilbury and distributed it to local Brentwood families. Peers suggest the challenge is now to keep building on these relationships and harness the good will developed.

The Business showcase event held this year on 20<sup>th</sup> October is considered a "stand out" initiative by businesses. Attended by hundreds of business visitors from across Essex and the Southeast it heard from inspirational leaders, held workshops and facilitated networking to inspire businesses to grow and innovate. The inclusion of a sustainability zone and the launch of BEBA at the event demonstrates the council's commitment to achieving its priorities around protecting the environment.

Business and community stakeholders want to support the council in delivering on its corporate strategy ambitions. They identified a need for further provision of incubator/small business and storage spaces to help industries and projects grow – supporting creative industries was specifically mentioned. BBC has an open invitation to further engage, codevelop and commission with stakeholders and peers recommend the council prioritise time and resources to maximise the potential opportunity.

Businesses were also keen to explore the creation of Business Improvement Districts (BIDs) either separately or as one for all three centres (Brentwood, Ingatestone and



Shenfield). There was a view this could be a further extension of the Brentwood Business Partnership.

There is an effective Community Safety Partnership (CSP) in place across Brentwood, delivering positive outcomes. Partners spoke of the swift action following the recent tragic events in Brentwood to establish a cross partner team who worked together to support the community and address concerns. Fear of crime is heightened in the town and the CSP is battling to counter this perception. A partnership plan is in place which takes forward the priorities identified by residents and data from the strategic intelligence assessment. Bi-monthly progress meetings take place supplemented by monthly operational meetings.

Peers heard about the positive engagement with schools supported through ring fenced funding, with ASB officers visiting monthly and projects such as drama productions. Since colocation of the police within BBCs offices, relationships have strengthened further and there are plans to create a community safety hub within the building. The links with health partners was less developed but there was an opportunity to work more closely with the county council and peers recommend the council explore this along with colocation of services to foster improved joint working.

Place audits of the local centres and an economic development study completed in 2020 coupled with the councils purchase of The Baytree Centre and the relationships with the Brentwood Business Partnership offer a unique chance to further develop strategies for town centre recovery. Peers spent time on the high street in Brentwood and observed the café culture, a product of the pandemic and could see the potential for creating a gateway entrance to Brentwood – announcing the arrival for visitors. Reinvesting the profits from acquisitions into the town centres would clearly demonstrate the circular, sustainable economy Brentwood is trying to create.

The councils local plan was submitted in February 2020 and following questions, publication of evidence and hearing sessions, a main modifications consultation is now underway. BBC is aiming to deliver over 8,000 homes and 5,000 jobs by 2033. Given 89% of the borough is designated greenbelt, the council has sought to develop urban areas, brownfield land and strategic transport corridors before considering the release of green belt to meet overall needs, specifically the delivery of a new garden village at Dunton Hills and employment land at Brentwood Enterprise Park. The



council is hopeful the plan will be found sound and can be adopted in 2022 in order to meet the growth needs identified and the ambitions within the corporate strategy around growing the economy. The local plan is also fundamental to the delivery of the growth prospectus for ASELA.

#### **4.3. Governance and culture**

BBC currently operates under a committee system of governance. Committees are generally well chaired and there is collaboration between officers and committee chairs to jointly set agendas. The senior leadership team meet separately with the leader and opposition leaders on a regular basis to have open honest discussions over council business and to review the forward plan of meetings and reports. The council moved swiftly at the start of the pandemic to establish virtual meetings and an emergency “decision making” committee which met twice to decide business grants. It is now a permanent committee of the council.

Scrutiny has a strong role in budget development and there are plans to increase the remit of the committee to consider decisions around audit, risks, key performance information and complaints against councillors. Peers felt there was also a role for scrutiny in policy development and this should be explored. There is a requirement to support councillors to better understand the information presented in reports. Peers heard that some reports were very technical whilst others presented information in piecemeal rather than in totality. There was concern this could lead to decisions being made in isolation rather than being joined up and a review should be prioritised.

The council has three independent persons (IP) who are involved in supporting officers around councillor complaints. The monitoring officer decides which complaints warrant the involvement of the IP and to date they have not been called upon too much. There are plans to introduce a member’s sub-hearing committee to hear reports from the monitoring officer, IP and others to preside over behaviour issues. Peers welcomed this move and it also supports closing the loop for the IP who currently don’t get to hear feedback on their involvement.

Peers heard from a number of sources that “there had been a sustained deterioration in the level of respect between councillors” and that behaviour particularly in planning committee and council was inappropriate, so took time to observe this for

themselves. Peers witnessed political point scoring and grandstanding taking place, but some meetings saw personal comments being directed at councillors and officers which went beyond what is considered acceptable. Senior officer and political leaders and chairs need to address this behaviour in real-time and efficiently whenever it occurs. Consistent application of the constitution, regardless of political party or position, was seen as an important foundation for this. Don't let the behaviour of a few, tarnish the whole - there is a very real risk to the council's reputation and unwanted erosion of the "Brentwood Way" culture.

Cross party working takes place with the constitution working group (CWG) and financial initiatives working group cited as good examples. Mention was also made of the cross-party leaders' meetings which no longer take place but used to support good political discussion. Restabilising this meeting could be a useful channel to help support the improvement in councillor behaviour and relationships.

BBC has a friendly welcoming, "can do", supportive culture - "the Brentwood Way". Staff told peers, "Brentwood is like a family", "there's a real sense of team", "support from different service areas" - these are comments to be proud of and it's a unique selling point for the council. However, peers also heard examples where the family culture had prevented difficult conversations and decisions being made. There is a fine balance to be struck and peers recommend managers are supported to reduce this risk ensuring critical challenge and feedback is part of organisational culture.

During the pandemic, the council moved quickly to developing online groups, support networks and increased communications to help staff feel connected and valued whilst working remotely. Pulse surveys and wellbeing checks were introduced to measure staff satisfaction. A new set of corporate values have been introduced and whilst still in infancy are welcomed by staff. The staff celebration event held in October featured in many of the peer's conversations with staff and was obviously a highlight for many.

The council has an asset management and development company Seven Arches Investment Ltd (SAIL). It also set up the Brentwood Development Partnership (BDP) in October 2019 - a joint venture between Brentwood Borough Council's Seven Arches Ltd and Morgan Sindall Investments Limited. The 30-year joint venture makes use of the council's portfolio of surplus land to build a variety of much needed homes

and community facilities. Through some detailed conversations, peers were confident of the governance and regular reporting in place for SAIL and BDP. It was impressive to see community non-executive directors had been appointed, however, business representatives highlighted a lack of gender diversity on the BDP board. The council should work with the business representatives to explain the extensive recruitment process and explore options to address this in the future. To further improve transparency, it is recommended that quarterly reports are presented to all members on these partnerships. There was also a risk identified by peers and the external auditor in relation to the council's governance arrangements for Joint Venture decision making and these are set out in the next section.

#### **4.4. Financial planning and management**

The financial arrangements of the council are fundamentally sound. BBC has a good set of accounts and clean opinions from the auditors. The approved General Fund budget for 2021/22 of £8.810m resulted in a small surplus of £240k, after transfers to reserves of £2.73m and there is a net residual pressure of COVID of £0.86m. A good and experienced finance team ensure regular internal budget monitoring takes place with participation and ownership from across the council.

It is understood that budget monitoring reports are generally presented to committee at least three times per year although in 2020/21 the frequency of public reporting was reduced due to the impact of sickness within the teams. Whilst the reporting is sound, the focus of reporting is based on a high-level subjective analysis and the peers recommended improvements could be made to develop the narrative content contained within the reports to more fully brief members and the public on service pressures. This additional content should be developed in partnership with the service managers.

The Medium-Term Financial Strategy (MTFS) identifies all the cost pressures and resourcing challenges faced by the council. The council is forecasting a 2022/23 deficit of £1.567m continuing into 2023/24 at £1.528m within the draft MTFS for 2022/23. Currently the MTFS assumes no increase to Council Tax. A financial initiatives working group has been established to review the savings required and has already developed a list of 40 proposals to consider. Peers encourage the council to continue to develop plans for addressing the budget gap especially in light

of the emerging restrictions on commercial property investment. The 2021/22 MTFS assumed no increases to Council Tax, although the Council has now included an assumption of 2% increases within the draft MTFS for 2022/23 and future years. The MTFS should continue to include an assessment of the financial benefit of increasing council tax by the 2% allowed and a consideration of the long-term financial implications of the various options for Council Tax to enable councillors to make an informed choice.

The peers recommend that the MTFS should be further developed to provide clearer links to council plans, for example by:

- Illustrating more clearly the impact of financing the capital programme over the next 10 years especially in light of the ambitious capital investment plans.
- Demonstrating the links and impact of the corporate strategy.
- Continue considering the options for future Council Tax increases within the MTFS as part of the strategy to balance the budget.

BBC has an ambitious capital programme spending £125.8m in 2020/21. The Council purchased three assets (Childerditch Industrial Park, Academy Place and The Baytree Centre) through borrowing at a cost of £89m for regeneration and place shaping purposes.

The council's asset management and development company SAIL also had its loan increased by £27.5m to £60m. Peers recognised the value and benefits these assets had for residents and had confidence in the skills and experience of officers acquiring and managing these investments but recognised there were some risks to the portfolio that needed further management. These included:

- Dependence on single specialist officers – further investment in resources is required to provide resilience and capacity to manage and deliver the Council's aspirations for property
- The potential conflict of interest between the Joint Venture (Brentwood Development Partnership), SAIL and the Council over the objectives for potential developments (profit vs community benefit). The Council should consider the future of the BDP in the light of new housing and regeneration capacity to develop sites in house whilst also assessing the potential impact

on SAIL of any change to the development agreement.

- The Council has invested significantly in a mixed portfolio of assets through the SAIL vehicle. Whilst these are now delivering a return on this investment, the value of the assets will be subject to market forces and fluctuations over time. The Council will need to guard against the scenario that the overall value of the assets decline relative to the value of the loans held by the company. The Council should review the reserve policy and seek to set aside additional resources to mitigate this potential risk as and when the Council is able.
- The Council has £129.5m borrowing with less than 1 year to maturity which is financing the acquisitions. The peers recommend that the Council considers the potential impact of refinancing risk in the light of current interest rate forecasts when deciding on the future maturity structure of loans.

Peers strongly recommend developing a more diverse budget strategy, looking at opportunities through partnership working particularly with Rochford District Council, transformation and efficiencies to reduce the risk, should the investment strategy currently being adopted, not reach its full potential.

The council is developing a new Asset Management Strategy for March 2022. This is a chance to identify surplus assets and peers recommend developing opportunities to release capital resources to fund the capital aspirations in the corporate strategy and reduce the reliance on borrowing.

The HRA underspent by £322k in 2020/21 and set a surplus budget for 2021/22 of £434k. Whilst the latest monitoring shows that the HRA is likely to overspend by £724k, this is largely to do with the costs of development that cannot be capitalised, however the Council does hold a reserve of £2.4m to support the development of homes which could be used to fund these costs if needed. Given the 30-year plan, the HRA can support the delivery of up to 500 homes and with the recent appointment of the new Housing and Regeneration Director provides the opportunity for more impetus to be put to delivery.

#### **4.5. Capacity for improvement**

BBC has loyal and committed staff who feel valued. The new corporate strategy has

bought direction to the organisation and much has been delivered in its first year, alongside leading the borough through a pandemic and continuing to deliver business as usual activities. The leadership instigated a top-down restructure which has seen changes to roles and additional capacity created at a strategic level to drive the council's regeneration, housing and investment priorities. Whilst this is welcomed, these roles urgently need resilience built around them within the organisation to avoid a single point of failure and to ensure capacity to deliver. Further alignment of skills to priorities and ambitions is required to ensure the council has the capacity within other core functions, including human resources, economic development, estates and planning. There are opportunities to create capacity and resilience with the Rochford strategic partnership and staff on the front line would welcome this.

Staff development is well established, with programmes in place for professional qualifications, apprenticeships, coaching and mentoring. There were many examples from staff who had worked their way up through the organisation from administrative to managerial roles and peers encourage the council to continue growing its own staff. The Aspiring managers programme implemented alongside the senior management restructure was highly regarded by the many staff who took part and it was good to hear that a future cohort is being planned.

Peers recognise the HR function has recently been bought back in house and has already won the nationally recognised People Services People Managers (PPMA) gold award for the Council. The two officers have worked tirelessly to implement and integrate policies and procedures under increased workload caused by the pandemic – but there is still much to do. Peers highlighted a number of areas in which BBC could make improvements including:

- Implementing robust systems to capture, monitor and evaluate employee metrics, including sickness absence, protected characteristics and pay.
- Broadening the learning and development programme to include training on internal processes such as, appraisals, sickness absence, disciplinaries, recruitment, service planning and time management.
- Embedding the completion of appraisals consistently across the organisation.
- Rationalising the different pay and remuneration scales.



- Addressing recruitment and retention issues in nationally recognised areas of shortage e.g. planning, surveying and environmental services – including reviewing the use of high cost agency/temporary staff.

The council acknowledges that there is more to be done and peers recommended that the production of a workforce/organisational development strategy would bring direction to the vision, workstreams, actions and timescales required. Urgent additional resources are also required within the HR function to release the manager from operational duties and create capacity for more strategic planning.

Although a health and wellbeing forum and an equalities group exist, peers recommend the council consider establishing a consultative staff forum. This could involve staff from across the organisation with the unions to provide a platform for discussions around the updating and development of HR policies including staff initiatives, equality and diversity, training and development and any other issues. The appointment of the leader as councillor champion for equality and diversity is a positive step forward and peers hope this will bring more authority to the equalities group and help it understand the needs in the borough more thoroughly.

Councillors told peers they felt briefed rather than engaged in the business of the council and whilst there was a willingness to be more involved there was a feeling this wasn't always welcomed. Some honest and open conversations need to take place at the political level to continue to build trust and confidence, share the workload and build capacity. Peers encourage the council to embrace the skills of the senior political leadership team and build on the good member development programme already in place to ensure there is an effective political succession plan.

The case work system/member portal is not working for either councillors or officers and is having a detrimental impact on relationships. Its deficiencies are leading councillors to circumvent the system and contact officers directly, which was the very reason it was introduced. Peers recommend the system is fixed as a priority and that the wider practice of councillors contacting officers is discussed with group leaders to find a solution that works for all. Some political awareness development sessions for officers across the council would also help to improve understanding of roles and responsibilities.

#### 4.6. Shared Services/Partnership working

The council has a positive approach to partnership working as is evident from its work with parishes, businesses, communities and stakeholders. Public sector shared services are in place with Basildon Borough council, Braintree District council, Rochford District Council, Thurrock Unitary Council and across Essex, Suffolk, Hertfordshire and Cambridgeshire.

The revenues and benefits service has been merged with Basildon Council for over four years and is a high performing well respected service. Staff feel part of one team and are proud of how it has developed. They remain connected to Brentwood and were very happy to win an award at the recent staff event.

Thurrock council provides management support to the planning development team and environmental health and licencing teams at BBC. Benefits are clear in terms of the increased performance in planning and the resilience it offers in environmental services where there is a national shortage of qualified experts.

Peers questioned how often the partnerships were reviewed especially in light of the comparison data available in the LG Inform report – which highlighted the high cost of these services. Considering the opportunities that may also present with the Rochford strategic partnership, peers recommend BBC develops a partnership plan to ensure existing partnership arrangements are appraised and compared - with performance and value for money strong considerations and that they are considered in light of new opportunities with Rochford or others.

Peers heard from partners that BBC was a partner of choice in South Essex but when compared with all 12 Essex councils, its voice was not being heard. Larger councils in the North including Colchester, Chelmsford and Tendring were gaining more traction in the county on shared initiatives around adults, children and health. Essex County Council raised the potential to explore opportunities around colocation of services, sharing of capacity around data analytics/health and work around the levelling up agenda. Peers recommend Brentwood may wish to open up dialogue on the viability of these ideas.

BBC is actively developing a strategic partnership with Rochford and in July 2021 agreed to the sharing of Brentwood's chief executive for an initial six-month period. A business case is being developed with Shared Services Architecture Ltd which will



explore extending the chief executive arrangement and consider further integration of services. In the main, staff at Brentwood saw this an exciting opportunity with some exceptions in areas where capacity was being stretched across the two councils on a temporary basis.


It was clear from discussions that the leaders of both Brentwood and Rochford were looking at the arrangement through the same lens and considered it an equal partnership. Although at an early stage, leaders wanted a structure that worked regardless of the politics. Peers could see immense value in the partnership, with some of the key benefits including:

- Opportunities for economies of scale - beyond back office
- Improved resilience and skills base - Learning from each other
- Regeneration and economic development
- Future public service trading
- Opportunities for further strategic partnerships with other councils

Some concerns were raised around the expectations and pace of any proposed changes given the limited capacity within both councils. Peers suggest external temporary support is procured to smooth the transition and support business case development. From experience, it was best not to delay restructuring once agreed and a spend to save strategy would need to be adopted.

Further work is also required with councillors at Brentwood to support their understanding of the long term benefits the partnership is hoping to achieve. There was scepticism and concern from some, who considered it a potential dilution of the Brentwood brand and identity.

BBC has been one of the seven members of ASELA since 2018. An idea born from the leaders in South Essex to work more collaboratively around delivering the housing targets for the area - with initially little influence. In 2021 the councils formed a joint committee which led to more accountability and transparency with published meeting agendas and minutes and a place at the table for Opportunity South Essex. Partners recognised the vital role the leader played in pushing for greater recognition of the partnership which he now chairs. Councillors and officers were keen to point out to peers that this has been a challenging process with changes of leaders due to



elections and changes to the officer leadership. Fortunately, the partners could all see the benefits of working together at scale and momentum has continued. ASELA is now not just about building houses and has ambitions for infrastructure, the economy and place shaping in South Essex. It has enabled the smaller districts to punch above their weight and provides a platform to engage with national government. Over £11m has so far been levered in from government for the five pioneer programmes: superfast digital connectivity, Thames Freeport, SEEPARK (South Essex Estuary Park), Infrastructure and housing and South Essex Technical University. The chief executive plays a key role by leading on the infrastructure and housing programme for the partnership.

ASELA has created a compelling case for a trailblazing strategic place-based partnership with Homes England. Now agreed in principle, by the Homes England Executive Board, it will be just one of two such partnerships in the country. This work will require all partners to share resources to enable delivery – a hugely multi-layered and multifaceted project that has caught the attention of government ministers who are in conversations with the partners about what they can invest in the partnership to be part of the delivery.

All partners agreed that ASELA is a strategic partnership that can deliver at a scale and pace across South Essex unachievable to each of them singularly – the power is in the collective. It was also clear this model of partnership working could be replicated elsewhere and should be promoted outside of Essex.

## 5. Next steps

It is recognised that senior political and managerial leadership will want to consider, discuss and reflect on these findings.

Both the peer team and LGA are keen to build on the relationships formed through the peer challenge. The CPC process includes a six-month check-in meeting. This will be a short, facilitated session which creates space for the council's senior leadership to update peers on its progress against the action plan and discuss next steps.

In the meantime, Rachel Litherland, Principal Adviser for the East of England, is the main contact between your authority and the Local Government Association. Rachel is available to discuss any further support the council requires.

[Rachel.litherland@local.gov.uk](mailto:Rachel.litherland@local.gov.uk), 07795 076834

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# Agenda Item 12

<b>Committee:</b> Ordinary Council	<b>Date:</b> 16 <sup>th</sup> March 2022
<b>Subject:</b> Notices of Motion	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew - Corporate & Democratic Services Manager	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew – Corporate & Democratic Services Manager Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For Decision</b>

## Summary

One Notice of Motion were deferred from the Ordinary Council meeting on 8<sup>th</sup> December 2021.

### **Motion 1 – 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.*

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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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