



# Agenda

## Ordinary Council

Wednesday, 22 June 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), Aspinell, Barber, Barrett (Deputy Mayor), Dr Barrett, Bridge, S Cloke, Cuthbert, Cuthbert, Mrs Davies, Mrs Fulcher, Fryd, Gelderbloem, Haigh, Heard, Hirst, Mrs Hones, Hossack, Jakobsson, Kendall, Laplain, Lewis, McLaren, Mrs Murphy, Mynott, Naylor, Parker, Mrs Pearson, Poppy, Reed, Russell, Sankey, Mrs Slade, Tanner, Wagland, White and Wiles

### Substitute Members

Cllrs

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### Agenda

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### Live broadcast

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

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2. Declarations of Interest
3. Mayors Announcements
4. Minutes of Ordinary Council held on 16th March 2022
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**6. Minutes of Annual Council held on 18th May 2022**

**7. Public Questions**

**8. Memorials or Petitions**

**9. Chair's Reports and Members Written Questions**

Reports to follow.

**10. Pay Policy**

Report to follow.

**11. Appointment of representatives on Outside Organisations 2022/2023**

**12. Notice of Motion**

**13. Urgent Business**

An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.



Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
07.06.2022

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### Information for Members

#### Substitutes

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

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

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#### Rights to Attend and Speak

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

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

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

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

##### Point of Order

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

##### Personal Explanation

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

##### Point of Information or clarification

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

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### Information for Members of the Public

#### Access to Information and Meetings

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

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

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

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

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

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

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

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

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

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 **Private Session**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

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 **Access**

There is wheelchair access to the meeting venue from the Main Entrance. If you do wish to attend this meeting, please contact the clerk should you have specific accessibility needs. There is an induction loop in the meeting room.

 **Evacuation Procedures**

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



## Minutes

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### Ordinary Council Wednesday, 16th March, 2022

#### Attendance

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

#### Apologies

Cllr Dr Barrett	Cllr Poppy
Cllr Mrs Davies	Cllr Tierney
Cllr Laplain	

#### Officers Present

Philip Drane	- Corporate Director (Planning and Economy)
Jacqueline Van Mellaerts	- Corporate Director (Finance & Resources) & S151
Claire Mayhew	- Corporate Manager (Democratic Services)
Jonathan Stephenson	- Chief Executive
Steve Summers	- Strategic Director
Tracey Lilley	- Corporate Director (Housing and Community Safety)

## LIVE BROADCAST

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

### 358. Apologies for Absence

Apologies were received from Cllr Laplain, Cllr Tierney, Cllr Poppy, Cllr Heard and Cllr Dr Barrett.

### 359. Declarations of Interest

There were no declarations of interest at this stage.

### 360. Mayors Announcements

The Mayor informed the Council:-

*I wanted to take this opportunity to address the awful event taking place in Ukraine. I hope that I speak on behalf of Councillors, officers and the residents of the Borough to say that we condemn the illegal invasion of Ukraine by Putin, and as the Mayor, first citizen of the Borough, we endorse this position on behalf of the Council, alongside a minute's silence for the victims of this invasion.*

*We, as Brentwood Borough Council, stand together with our residents of Ukrainian heritage and will support them in their hour of need.*

*We have residents of Ukrainian heritage in our Borough. They are understandably fearing for the lives of their loved ones in Ukraine. The Borough has already demonstrated our solidarity with the Ukrainian community by lighting up the Town Hall in the colours of Ukraine and we are flying the flag of Ukraine.*

*We welcome the actions of Brentwood Mutual Aid and other groups in bringing the community together to support the people of Ukraine.*

*We acknowledge this is an act of aggression by Putin, not by residents of Russian heritage living and working in Brentwood. We must support all of our residents here to live peaceful lives without fear or anxiety.*

*We pride ourselves in welcoming residents from all over the world. We will warmly welcome Ukrainians to our Borough as part of any national refugee effort.*

*We urge:*

- *Peace*
- *Residents to come together in difficult times and support each other when the burden can seem heavy.*

- People to support the Ukrainian communities across Essex who are mobilising in support of Ukraine by donating to funds which they have set up to provide critical support for Ukraine at this time.
- The Government to do everything possible to support the Ukrainian people who are being displaced from their homeland including welcoming them into this country.

*Please can we take this opportunity to take a minute's silence for the victims of the invasion.*

*Since the last Ordinary Council meeting, I was delighted to hold a charity Afternoon Tea and Tour of Ingatestone Hall by Lord Petre and his son Dominic. This was a lovely afternoon and raised over £500 for my chosen charities.*

*Just last week, I took part in a tree planting at King Georges Playing Fields in honour of the Queens Green Canopy – an initiative of tree planting across the Country for the Queens Platinum Jubilee. I also got the opportunity to open the new soft play and Tag Active at the Pavilion within King Georges which will be a great asset to the Borough – and was lot of fun!*

*On Monday of this week, I raised the flag to celebrate Commonwealth Day The theme for Commonwealth Day 2022 centres around “Delivering a Common Future” and how the 54 member countries in the Commonwealth family are ‘innovating, connecting and transforming’ to help achieve goals like fighting climate change, promoting good governance and boosting trade. It was lovely to be joined by schoolchildren from the borough to read the Commonwealth Day message from the Secretary General of the Commonwealth.*

*Lastly, I look forward to welcoming many of you to my upcoming Civic Dinner on Friday 8<sup>th</sup> April – there is still time to purchase your tickets if you wish to attend.*

### **361. Minutes of the Ordinary Council meeting held 8th December 2021**

The Ordinary Council meeting held on 8<sup>th</sup> December 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>

### **362. Minutes of the Extra Ordinary Council meeting held on 23rd January 2022**

The Extra Ordinary Council meeting held on 23<sup>rd</sup> January 2022 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=oxCeNji45k0>

### 363. Minutes of the Ordinary Council meeting held on 23rd February 2022

The Ordinary Council meeting held on the 23<sup>rd</sup> February 2022 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=P9cARVt3xio>

### 364. Public Questions

In accordance with the Council's Constitution, a member of the public resident within the Borough may ask a maximum of two questions relating to the business of the Council providing notice has been received by 10.00am two working days before the relevant meeting.

Four Public Questions had been received and these were put to and responded to by the Leader of the Council, Cllr Hossack, as follows:

Mrs Pat Smith submitted one question as follows:

1. *How does the Council's constitution prevent a slide into political extremism (for example extreme right or left wing attitudes and behaviour) by the administration? What are the checks and balances? Are they being applied?*

Cllr Hossack responded as follows:

*The Constitution in part 5 clearly sets out the Model Code of Conduct including the Nolan Principles that all Councillors must abide by when undertaking official duties for the Council. The Monitoring Officer on receipt of a complaint, will speak to the Independent Person to make an initial decision if the complaint should be investigated or not. The checks and balances are in place and are adhered to through the proper processes.*

Mrs Susan Kortlardt submitted two questions as follows:

1. *Essex County Council has placed addressing the climate challenge at the heart of its strategic priorities. As there are four Essex County councillors covering Brentwood Borough, presumably they support the key steps published in the Essex Climate Action Commission's report 'Net Zero by 2050', with Step 1 including all new builds to have solar panels from 2021, with 25% of all roofs having solar panels by 2030.*

*Could Brentwood lead the way by achieving this target sooner by fitting all its estate with solar panels in the next eighteen months?*

Cllr Hossack responded as follows:

*The Council will endeavour to support Essex County Council in delivering its climate challenge priority.*



*In turn the Council has recently approved its own Environment Strategy for consultation. The Council seeks to implement a Strategy that confirms the direction of the organisation aligning and affirming with the actions already taken, identifying key targets and objectives to ensure the Council is on track to meet its long-term aspirations of carbon neutrality by 2040. This strategy ensures individual projects that are delivered will result in the overall outcomes and objectives being met.*

*In addition to the Environmental Strategy, The Council recently adopted the Asset Management Strategy 2022-2025. This strategy has seven key priorities with one being reducing the environmental impact of our estate, regarding the energy it consumes, emissions it generates, and the materials used in construction.*

*These strategies require action plans to support the delivery of the Council's commitments. Action plans must align with the financial resources available. Achieving net zero comes at a cost and the delivery of the environmental strategy must balance with the Council's, resources, finances and budget setting process. The Council will seek all funding possibilities to maximise the ability to deliver as many outcomes as possible as outline within it's own environmental strategy.*

Cllr Aspinell has asked if the question was specially to the Leader. If not, he asked if he could reply. Mrs Kordtlandt confirm the question was not just to the Leader of the Council.

Cllr Aspinell replied to Mrs Kordtlandt question:-

*I welcome the question, as the Liberal Democrats side of the Chamber have been going on about for 12/15 years. We should have taken the advantage when government afforded this all those years ago for decent tariffs returns if we had placed solar panels on our estate, this isn't just the council housing, it's the Brentwood Centre it's the depot, it's all over. So yes, I would absolutely love to have started that when we first introduced climate change initiatives, all those years ago. You've heard the answer from the from the Leader. I believe in action rather than word and you see no action we have been asking for this simply since the first local development plan was laid down.*

*There's no renewable energies within that plan, that I know of that has been placed in it and we're looking at strategies now to have an idea of what we'd like to do about it and as you've heard from the Leader there's a cost so in other words that won't see the light of day. We've been waiting for a parking strategy for about 20 years that still hasn't seen the light of day. So, I'm sorry, I don't see anything immediately happening, but I'd love to be able to deliver an 18 months, you'd have our complete support.*

Cllr Barrett also responded to Mrs Kordtlandt question:-

*I think it's interesting what's been stated by both the other groups and I think on a practical basis actually solar panels and more importantly I think actually*

*energy and energy saving measures and insulation in homes it can be aggressively important and actually a spend to save measure and count for asthma talks about costs and the Cllr Hossack quite rightly says we have a housing budget that we have to hit but I'm believing that the current circumstances the current energy crisis for our residents there is now a new potential impetus given where energy prices are given the problems of dependence on gas of actually using this as a spend to save opportunity like it'll be something good to consider in the new civic year ahead of us and I'm sure that actually across groups. we can actually come together to produce something rather than fighting this chain but do something sensible*

- 2. I note, from the recent report of Essex Climate Action Commission, that 49% of carbon generated in Essex is transport-related, of which 90% is from vehicle use, that the number of battery electric vehicles in the UK has tripled in the last two years and continues to grow strongly.*

*I understand that Brentwood Council decided 3 to 4 years ago to install 40 public electric vehicle charging points (PEVC's) across Borough-owned car parks, but that this total has now been reduced to 20. Also, according to this report, there are still only 7 PEVC's in the Brentwood area, the second lowest in Essex. Only Castle Point has fewer, with 3.*

*In light of this extremely weak performance, I should like to ask what is preventing the Council from delivering on its commitment? I am sure that the 3 Brentwood Council members who also sit on Essex County Council, Barry Aspinell, Lesley Wagland (Cabinet Member for Highways) and Andy Wiles will want to ensure that ECC's support for more sustainable travel options is given proper priority.*

*Cllr Hossack responded as follows:*

*Brentwood Borough Council are committed to introducing Electric Vehicle Charging points across the borough however we are limited by the space we as a Council own which is accessible by vehicles. We have undertaken a feasibility study which sets out our path for delivering EV Charging points over the next 8 years to 2030. These will be provided within car parks we control.*

*We are presently determining the provider of the next phase of EV Chargers to be delivered in Brentwood Council Car Parks. This will deliver at least 20 EV Chargers in our car parks and although the Council hope it will deliver much more, this is dependent on available power.*

*However, the third phase seeks to increase the overall number of EV Chargers towards 100 and then towards 200 in 2030. In order to achieve these numbers further work will be required to confirm the available power supply is adequate.*

*The Council are also working with Essex County Council and will be willing to be part of a pilot where appropriate to install on street parking.*

*We envisage the roll out of EV Charges to commence in late Spring early Summer 2022.*

*Cllr Aspinell responded to Mrs Kordlandt question:-*

*I'm declaring interest as named as a Essex County Councillor, but I hear tonight speak as a member of the Brentwood Borough Council now several years ago when I was Leader of this Council I met with some energy companies that were setting up to discuss how to put electric charging points into what the Leader described as areas that residents do not have driveways, so we were looking at like is it Albert Street, North Road Avenue and those areas that are of just residential roads with no driveways and we were looking at how they've rolled that out in other boroughs quite successfully.*

*So officers of this Council were aware of that some 6/7 years ago when we were having these discussions and I am totally a loss why this wasn't encouraged. I know the reason why, because it was a Lib Dem idea. We shouldn't be doing it, so all talk and all discussions with that was stopped immediately. We're now seven years down the road and we still haven't got them four or five years ago,*

*I put a motion to full council to have an area around that we border on the M25 as a station just to deal with electric charging vehicles, that wasn't progressed, but Braintree had done it and the marvellous now I'm sure that you heard in the Leaders response that strategy is being drawn up yet another one, just delaying in my opinion. We should have gone down this road a long time ago.*

*I think that electrical vehicles probably be out of fashion and be replaced by something else such as carbon hydrogen driven before we get around to getting to our faulty target by 2030. So that's my response*

*Mrs Jan Gearon-Simms submitted one question as follows:*

- 1. Do you agree that any Brentwood Council tax payers has the democratic right to choose not to be on the internet and not to own a mobile phone?*

*What is Brentwood Borough Council's response to these particular residents?*

*Cllr Hossack responded as follows:*

*Any individual has the right not to access technology as they wish. Residents who wish to access the Council can do so by visiting the reception area in the Town Hall, or by either using the Royal Mail or posting documents into the post box at the Town Hall.*

*The Council recognises that there is not just one way to interact or connect with the residents and continues to improve its commitment to accessibility.*

### **365. Memorials or Petitions**

No memorials or petitions were received.

### **366. Boundary Commission**

To seek the approval of Brentwood Borough Council (the Council) to advise the Local Government Boundary Commission England [LGBCE] that the Council, should in future be served by 39 Councillors.

Cllr Hossack **MOVED** and Cllr Parker **SECONDED** the recommendation within the report.

- 1. That, in response to a request by the LGBCE, this Council agrees to inform the LGBCE that it wishes to see 39 Councillors elected to serve the Borough in the future.**
- 2. That the Council Size submission (Appendix A) providing the reasoning be submitted to the LGBCE.**

Cllr Barrett **MOVED** and Cllr Kendall **SECONDED** additional recommendations as follows:

**R3 This council will undertake a consultation on it's method of elections to commence in 2024 to align with the LGBCE Order implementation.**

**R4 If R3, is agreed then this Council agrees that the question to be asked in the Consultation be:**

**Do you think Brentwood Borough Council should:**

- Elect one third of our Borough Councillors every year ("by thirds")**
- Elect all of our Borough Councillors every four year ("whole council/all out")**

**R5, if R3 and R4 are agreed that this Council in submitting its submission to the LGBCE, will inform the Commission that it is the intention of this Council to consult on it's form of elections in the new municipal year. The result of the Consultation be brought to a future meeting of the Ordinary Council.**

Cllr Hossack did not accept the amendments.

After a full discussion, as further amendment was proposed under procedure rules 8.1 (l) **MOVED** by Cllr White and **SECONDED** by Cllr McLaren to include:

**R6. The form, timing and structure of the Consultation be agreed at the Audit & Scrutiny Committee.**

This was agreed by Cllr Barrett.

A vote was taken recommendation R3,R4,R5 and R6.

This was **CARRIED** and become part of the substantive motions.

A vote was taken by a show of hands on the following recommendations.

1. **That, in response to a request by the LGBCE, this Council agrees to inform the LGBCE that it wishes to see 39 Councillors elected to serve the Borough in the future.**
2. **That the Council Size submission (Appendix A) providing the reasoning be submitted to the LGBCE.**
3. **This council will undertake a consultation on its method of elections to commence in 2024 to align with the LGBCE Order implementation.**
4. **This Council agrees that the question to be asked in the Consultation be:**  
  
**Do you think Brentwood Borough Council should:**
  - **Elect one third of our Borough Councillors every year (“by thirds”)**
  - **Elect all of our Borough Councillors every four year (“whole council/all out”)**
5. **This Council in submitting its submission to the LGBCE, will inform the Commission that it is the intention of this Council to consult on its form of elections in the new municipal year. The result of the Consultation be brought to a future meeting of the Ordinary Council.**
6. **The form, timing and structure of the Consultation be agreed at the Audit & Scrutiny Committee.**

### **367. Corporate Peer Challenge**

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.

Mr Summers and Mrs Mayhew were thanked for their work on the Corporate Peer Challenge.

Cllr Hossack **MOVED** and Cllr Parker **SECONDED** that the recommendations within the report.

A vote was taken by a show of hands and was **RESOLVED UNANIMOUSLY**

**1. That Members note the Corporate Peer Challenge Feedback Report attached at Appendix A.**

**2. Members agree that regular update reports on the action plan are made to the Policy, Resources and Economic Development Committee.**

#### **Reasons for Recommendation**

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

*The meeting was adjourned at 21.06 for a 5 minute comfort break*

### **368. Annual Review**

This report updates members on progress of the Corporate Strategy 2020/2025 and presents an annual review document for approval.

Cllr Hossack **MOVED** and Cllr Parker **SECONDED** that the recommendation within the report.

Members made reference to the Parking Strategy, Housing, all lane active travel scheme, Sawyers Hall Lane active travel scheme, Town Centre Conferences and energy efficiency

A vote was taken by a show of hands, it was **RESOLVED.**

- 1. To note the Corporate Strategy 2021/2022 Annual Review and approve the draft document as set out in Appendix A.**
- 2. To provide delegated authority to the Chief Executive in consultation with the Leader and Deputy Leader to make any minor amendments to Appendix A including decisions of other committees during March 2022.**

## **Reason for Recommendation**

The Council is required to have and publish a Corporate Strategy.

The Council requires sound strategic direction to deliver its objectives.

*(Cllr Russell left the Chamber during this item, therefore was unable to take part in the vote & Cllr Mrs Davies left and didn't return to the meeting)*

## **12. Members' Written Questions – Annual Review**

Chair's questions will be taken under the Annual Review item as per last year. Members can ask up to two questions to two different Chairs.

Any Member may ask a Chair a written or oral question on

- any matter included within the Annual Review; or
- any matter in relation to which the Council has powers or duties or which affects the Council's area and which falls within the area of responsibility of the Chair's committee.

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

Two written questions have been received from Cllr Naylor, as follows:

### **Question 1**

It was good to see the installation of the Electric Vehicle charging point in the Council carpark, and that it appears to be well used and appreciated. I also understand from a recent conversation I had with an officer, that the current overflow car park at Kings George's will soon have installed 5-10 EV charging points.

However, EV charging points at Williams Hunter Way car park have not been installed, and other potential ideal locations like Shenfield High Street and its Car Park do not have any charging points.

Can Members and the Public here, be provided with an update on the progress of installation of charging points around the Borough and the location of these points and the type/standard of the points, any difficulties the Council is facing installing points, and whether the Council has taken up any opportunity to access Central or Regional government schemes/funding, for example, the 'On-Street Residential Chargepoint Scheme'.

### **Response:**

Thank you, Councillor, the procurement for the provider of the EV Chargers is nearly complete and confirmation of appointment will happen in the next two weeks. The council will then have a contractor in place who will roll out EV Charging Points in a number of Council owned Car Parks including King Georges,

the Multi Storey Car Park, William Hunter Way, Chatham Way, Hunters Avenue in Shenfield, Friars Avenue in Shenfield, Market Place Ingatestone and Bell Mead Ingatestone. Once the contractor is in place a timeline will be produced confirming when installation of the EV Chargers to the different locations is scheduled.

The EV Chargers provided will be a mixture of Fast Charging and Rapid charging which will depend on the amount of power that will be accessible at the different locations. The contractor will apply for and use government funding where appropriate. With regards on-street EV Charging, Brentwood Council are engaged with Essex County Council who are seeking to roll out pilots later this year and we will continue to discuss this with them.

### **Question 2**

The cost of fossil fuel derived energy is on the rise, predicated to shapely rise again in the coming weeks and months.

Given the high cost of energy, not just in Monetary terms, but the burning of fossil fuels has for example on the Air Quality in Brentwood and its associated health implications. Will the Council take every opportunity during this difficult period for consumers and residents and what should be a decade of transition away from dirty and problematic fossil fuels, to improve provision and access to Public Transport, high quality Walking and Cycling infrastructure, EV Charging Points, and building that are less reliant on fossil fuel energy.

Whether it's for example, accessing schemes or funding from Central/Regional government, lobbying Central and Regional government for help and investment, and ensuring plans for development in the borough are up to standard, and developers contribute to the task.

### **Response:**

Thank you, Councillor, for your question. I can confirm that the Council will support initiatives that encourage or allow access to funding for our residents to undertake 'Environmental' projects in order to reduce their own carbon footprint. The Council will be investing in more EV Chargers across Council owned car parks and new developments must meet much tighter environmental requirements when they build than before. The Council have already been successfully awarded from the LADS 2 programme £202k funding to retrofit some of our HRA housing with the council setting side £66k match funds to support the full unlocking of this funding.

### **369. Notice of Motion**

One Notice of Motion had been received, as detailed in the report.

**Motion 1 – Received on 16th November 2021 @ 16.16 was deferred from Ordinary Council on 8<sup>th</sup> December 2021.**

Mover: Cllr Lewis

Seconder: Cllr Aspinell



This Council resolves to have placed in our Constitution's Planning Chapter 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.

Cllr Hossack **MOVED** an amendment and Cllr Parker **SECONDED** the suggested wording to Cllr Lewis motion.

This Council resolves to ask the Constitution Working Group to view any donations have placed in our Constitution's Planning Chapter that any to 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.

This was not accepted by the Cllr Lewis. A vote on the amendment was taken by a show of hands and was **RESOLVED**.

The Mayor informed the Council at 22.26 that the next item, urgent business will go the guillotine and be not be debated and will go straight to the vote.

### **370. Urgent Business**

#### **Revenue and Benefits Partnership**

Members will be aware that the Council entered a partnership arrangement with Basildon Borough Council to deliver both councils' Revenue and Benefits Services. The Partnership Board consists of officer representatives from both authorities which oversees performance of the current partnership whilst also exploring future sharing opportunities.

Following discussions between the respective local authorities, an opportunity has now arisen to investigate the possibility of expanding the partnership to include the provision of Revenue and Benefits Services to Castle Point Borough Council.

Subsequently a high-level piece of work was undertaken to benchmark Castle Point Borough Council's Revenues and Benefits Service against the existing Brentwood and Basildon Shared Service. As this piece of work was very high level the data gathered could not be used to establish viability of a shared service without further detailed work being undertaken.

To proceed, an equal level of commitment is required from all interested parties, and this is reflected in the proposed Memorandum of Understanding (MoU) with Brentwood Borough Council, Basildon Borough Council and Castle Point Borough Council as attached at Appendix A.

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

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

1. **Approve Brentwood Borough Council enters into a Memorandum of Understanding (MoU) with Basildon Borough Council and Castle Point Borough Council to enable the commencement of exploratory work in relation to a potential joint working opportunity as attached at Appendix A.**
2. **Approve that a detailed Business Case is reported to a future Policy, Resources and Economic Development Committee.**

#### **REASON FOR RECOMMENDATION**

To enable the council to consider opportunities to meet the Corporate Strategic Plan 2020- 2025 key priority of 'Delivering an efficient and effective council'.

Cllr Sanders wished all the Members well in the upcoming Borough Elections and thanked the Members that are not re-standing for all the hard work they had undertaken for the Borough during their time in office.

The meeting ended at 22:40hrs



## Minutes

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### Extraordinary Council Wednesday, 23rd March, 2022

#### Attendance

Cllr Ms Sanders (Mayor)	Cllr Hirst
Cllr Reed (Deputy Mayor)	Cllr Mrs Hones
Cllr Aspinell	Cllr Hossack
Cllr Barber	Cllr Jakobsson
Cllr Barrett	Cllr Kendall
Cllr Dr Barrett	Cllr McLaren
Cllr Bridge	Cllr Mynott
Cllr J Cloke	Cllr Naylor
Cllr S Cloke	Cllr Nolan
Cllr Mrs Davies	Cllr Parker
Cllr Mrs Fulcher	Cllr Poppy
Cllr Gelderbloem	Cllr Mrs Pound
Cllr Haigh	Cllr Russell
Cllr Heard	Cllr Tanner

#### Apologies

Cllr Cuthbert	Cllr Lewis
Cllr Fryd	Cllr Mrs Pearson
Cllr Laplain	Cllr Tierney

#### Officers Present

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
Steve Summers	- Strategic Director
Jacqueline Van Mellaerts	- Director Corporate (Finance & Resources) and Section 151 Officer
Jonathan Quilter	- Corporate Manager (Strategic Planning)

## LIVE BROADCAST

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

### 371. Apologies for Absence

Apologies were received from Cllrs Cuthbert, Fryd, Laplain, Lewis, Mrs Pearson and Mrs Tierney.

### 372. Declaration of Interest

Cllr Mynott disclosed a pecuniary interest as the virtue of living close to the William Hunter Way car park site, an allocation in the Local Development Plan. A dispensation had been issued to Cllr Mynott on this matter.

Cllr Aspinell **MOVED** and Cllr Kendall **SECONDED** a motion to suspended standing orders for the time allocated for members to speak on this item.

A note was taken by a show of hands and the motion was **LOST**.

### 373. Brentwood Local Plan 2016-2033: Adoption

The Brentwood Local Plan 2016-2033 is a vitally important document that provides a framework to guide future development in the borough to 2033. The plan sets out an overarching vision and strategic objectives underpinned by policies to manage growth consistent with our “borough of villages” character. It is the blueprint to help physically deliver the council’s corporate priorities and objectives.

The National Planning Policy Framework requires local planning authorities to produce a local plan for their area. The Council has prepared a new plan having undertaken various stages of public consultation through the plan-making process.

The preparation stage of the plan-making process took place between 2009 and 2019, with several Regulation 18 consultations and publication of the plan at Regulation 19 in 2018 followed by further consultation in 2019. The examination stage began in February 2020 when the plan was submitted to the Planning Inspectorate. The examination included hearing sessions held in

December 2020, February, March and July 2021. This was followed by a consultation on Potential Main Modifications. The appointed planning inspectors have completed the examination stage by concluding that the plan and modifications recommended in their final report satisfies the requirements of legal compliance and is sound. This means that the council is now able to progress to the final stage of the plan-making process: adoption.

The report recommended that the council adopt the local plan with the main modifications recommended by the inspectors and additional modifications. In addition, there are several other recommendations related to the need to endorse accompanying material as part of the adoption process. One of the required modifications was that the council needs to immediately begin a partial review and update of the plan to account for longer-term growth needs. The timeframes for undertaking this review need to be considered alongside supporting planning policy documents as part of the council's Local Development Scheme.

Mr Drane presented the report to Members. He thanked the Planning Policy Team and wider range of partners that had contributed to the plan-making process over several years.

A vote of thanks was given by cross-party members to all the officers for the work undertaken on the Local Development Plan.

Some concerns were expressed by members relating to the wider implications of ground floor commercial change of use permitted development, affordable/social housing mix, car parking and the use of Heath Impact Assessments.

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

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

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

- R1. Adopt the Brentwood Local Plan 2016-2033 (Appendix A), which incorporates the Main Modifications recommended by the Planning Inspectors (Appendix C) and Additional Modifications (Appendix D). In doing so, this will replace the Brentwood Replacement Local Plan (2005).**
- R2. Subject to recommendation 1, that the council endorses the updated Policies Map (Appendix G) in line with the proposed changes (Appendices E and F), which are necessary to give effect to the policies of the adopted Local Plan as modified, and that the Policies Map be published alongside the Brentwood Local Plan 2016-2033.**

- R3. Subject to recommendation 1, delegate authority to the Corporate Director of Planning and Economy, in consultation with the Leader of the Council and Chief Executive, to make any minor non-material corrections as additional modifications to the adopted Brentwood Local Plan 2016-2033 as considered necessary ahead of publication and publicity in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).**
- R4. Subject to recommendation 1, endorse that work begin on a Partial Review and Update of the Brentwood Local Plan 2016-2033, as required in the Main Modifications, and that the council's Local Development Scheme is revised and presented to a future meeting of the Policy, Resources and Economic Development Committee.**

### **Reasons for Recommendation**

Adopting the local plan will ensure that the council has an up-to-date strategic planning framework for the borough. This will provide more control and certainty through planning decision-making and protect communities from speculative applications. The plan will provide a blueprint for the borough's future and be a key delivery vehicle for the council's corporate objectives, helping to grow the economy, protect the environment, develop communities, improve housing, and deliver an effective and efficient council.

Adopting the plan will require endorsement of the accompanying policies map. To comply with the legislation and give effect to the plan's policies, the council will need to update the adopted policies map to include all the changes proposed and the further changes published alongside the main modifications.

If the plan is adopted, a glossier final version will be required for practical use, both online and hard copy. Therefore, delegation of authority is sought for any minor typo and/or graphic design amendments before the document is published.

Work to progress an update and review of the local plan should start immediately in line with required modifications to Policy MG06. Timeframes for necessary stages of the update and review process will need to be considered alongside other priorities, such as introducing a Community Infrastructure Levy for the borough, and brought to a future meeting of the Policy, Resources and Economic Development Committee to approve an updated programme of works in a revised Local Development Scheme.

### **374. Urgent Business**

There were no items of urgent business.

The Leader concluded by wishes all Members well in the forthcoming elections and to those not standing he thanked them for all their hard work in the Borough over the years.

The meeting ended at 20.08

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## Minutes

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**Annual Council**  
**Wednesday, 18th May, 2022**

### Attendance

Cllr Ms Sanders (Mayor)	Cllr Jakobsson
Cllr Reed (Deputy Mayor)	Cllr Kendall
Cllr Aspinell	Cllr Russell
Cllr Barber	Cllr Tanner
Cllr Barrett	Cllr Laplain
Cllr Dr Barrett	Cllr Lewis
Cllr Bridge	Cllr Wagland
Cllr S Cloke	Cllr Mynott
Cllr Cuthbert	Cllr White
Cllr Mrs Davies	Cllr Wiles
Cllr Fryd	Cllr Parker
Cllr Mrs Fulcher	Cllr Sankey
Cllr Gelderbloem	Cllr Mrs Murphy
Cllr Hirst	Cllr Mrs Slade
Cllr Mrs Hones	Cllr N Cuthbert
Cllr Hossack	
Cllr Poppy	

### Apologies

Cllr Haigh	Cllr Naylor
Cllr Mrs Pearson	Cllr McLaren

### Officers Present

Jonathan Stephenson	- Chief Executive
Steve Summers	- Strategic Director
Amanda Julian	- Corporate Director (Law & Governance) & Monitoring Officer
Greg Campbell	- Corporate Director (Environment and Communities)
Phil Drane	- Corporate Director (Planning & Economy)
Jacqueline Van Mellaerts	- Corporate Director (Finance & Resources)
Claire Mayhew	- Corporate Manager (Democratic Service) & Deputy Monitoring Officer

## 1. Apologies for Absence

Apologies were received by Cllrs Haigh, Naylor, McLaren and Pearson. Past Mayors, Jean McGinley and Joan Holmes, Freewomen Jane Bennett, Alderwomen Valerie Davis and Alex Burghart MP.

## 2. Mayor's Announcements and Presentations

The Mayor, Cllr Olivia Sanders said:-

*“Good evening, Distinguished guests, Freeman and Freewoman, Aldermen and Alderwomen, Members, Ladies and Gentlemen.*

*First of all, may I welcome everyone to this evening’s meeting. Also, I would like to extend a warm welcome and congratulations on the recent election our new members Cllrs Mrs Cuthbert, Mrs Murphy, Sankey and Ms Slade, and congratulations to Cllrs Aspinell, Barrett, Haigh, Hirst, McLaren, Mynott, Naylor, Parker and Sanders on their re-election.*

*It certainly has been an extremely different Mayoral year during and coming out of the pandemic period. However, I have still been busy taking on 90 engagements since May 2021. I would like to take the opportunity to thank my escort Sheila Murphy and also my partner Mark for attending these with me. I would also like to thank my Deputy Mayor standing in on those engagements I was unable to attend, so to Cllr Mark Reed – thank you.*

*I would like present small gift for my appropriation to my Escort, Cllr Sheila Murphy, Deputy Mayor, Cllr Mark Reed and his escort, Lynne Collins for their support throughout the year.*

*I have been honoured to be invited to a number of events across the Borough from schools, local businesses, community groups, nursing homes and churches to name a few. A special moment of this Mayoral year was leading the parade through the High Street from the War Memorial on Remembrance Sunday.*

*The Civic Dinner is always an important event and gives Brentwood Borough Council the opportunity to thank all those who give up their time for others, and to recognise those who have made a special contribution to the life of the Borough. I was privileged to present the Civic Awards to Allison Marshall, Nick Holmes, Peter Hyam, and Desmond Burrett.*

*Last week, I was delighted to be invited to the Queens Garden Party and meet and spoke with HRH. Prince Charles which was a great experience.*

*I would like to take this opportunity to thank Mr Dennis Rensch and acknowledge his retirement as Deputy Lord-Lieutenant of Essex. Dennis has served in this role for Brentwood since 2006 and has shown great support not only to me and Civic life in Brentwood, but also previous Mayors of the Borough during his time as Deputy Lord Lieutenant”.*

Group Leaders spoke on a vote of thanks to Mr Dennis Rensch followed by a presentation from the Mayor.

### **3. Designate a Mayor for the ensuing municipal year**

The Council was required to elect a Mayor from amongst its membership to serve for the Municipal Year 2022/2023 and until their successor was entitled to act in that office in accordance with the procedure as set out in Appendix B of the Constitution.

Cllr Hossack **MOVED** and Cllr Russell **SECONDED** that Cllr Olivia Sanders should be designated Mayor and it was

**RESOLVED UNANIMOUSLY** that Cllr Olivia Sanders be installed as Mayor for the Municipal Year 2021/22.

#### **Reason for Recommendation**

It is a statutory duty.

### **4. Designate a Deputy Mayor for the ensuing municipal year**

The Council was required to appoint a Deputy Mayor from amongst its membership to serve for the Municipal Year 2022/2023.

The Deputy Mayor was appointed by the Council to continue in office for one Municipal Year and hold office until immediately after the election of the Mayor at the next Annual Meeting.

Cllr Hossack **MOVED** and Cllr Tanner **SECONDED** that Cllr Gareth Barrett be appointed Deputy Mayor and it was

**RESOLVED UNANIMOUSLY** that Cllr Gareth Barrett be appointed as Deputy Mayor for the Municipal Year 2022/2023.

#### **Reason for Recommendation**

It is a statutory duty.

### **5. Receive any declaration of interest from Members and Officers**

There were no declarations of interest from Members or Officers.

## 6. Brentwood Borough Council Elections

The Chief Executive reported on the results of the recent elections.

## 7. Political Groups on the Council

The Constitution provided that the Chief Executive Officer would report receipt of Notices served on him by Members under the provisions of the Local Government (Committees and Political Groups) Regulations 1990 to the Annual Meeting of the Council.

The CEO, Mr Stephenson advised that he had received Notices from the Conservative, Liberal Democrat and Labour Groups indicating that they wished to be treated as political groups on the Council and listing membership of their Group.

Cllr Ms Sanders **MOVED** and Cllr Barrett **SECONDED** the recommendation in the report and it was **RESOLVED UNANIMOUSLY**.

1. **That Annual Council notes the Notices of Political Groups served on the Chief Executive.**

### **Reason for Recommendation**

To comply with The Local Government (Committees and Political Groups) Regulations 1990 as amended.

## 8. Appointment of Leader and Deputy Leader

The Constitution under Council Procedure Rule 2.1 (i) provided that the Annual Meeting of Council would consider the election from its Members a Leader and Deputy Leader of the Council.

The Mayor invited nominations for the election of Leader and Deputy Leader for the Municipal Year 2022/2023.

Cllr Poppy **MOVED** and Cllr Russell **SECONDED** that Cllr Hossack be designated as Leader of the Council and it was

**RESOLVED UNANIMOUSLY** that Cllr Hossack be designated Leader of the Council.

Cllr Hossack **MOVED** and Cllr Tanner **SECONDED** that Cllr Poppy be designated as Deputy Leader of the Council and it was

**RESOLVED UNANIMOUSLY** that Cllr Poppy be designated Deputy Leader of the Council.

### **Reason for Recommendation**

To comply with Article 4 of the Constitution.

## 9. Leader's Statement

During his statement Cllr Hossack congratulated those Members that had been re-elected and those that were elected for the first time as new councillors. The Leader highlighted the challenging times over the past two years with the COVID pandemic, the war in Ukraine and the cost of living crisis, which has been added to what was already a very difficult financial situation for this council. However, the council still delivered on major projects ie Childerditch Industrial Estate, the Baytree Centre, Brentwood Centre and King Georges Playing Fields.

Leaders of the opposition groups, Cllrs Aspinell and Barrett responded to the Leader's statement.

## 10. Committees and their Terms of Reference

The Council operated a committee system form of governance and there were a number of statutory provisions relating to committees.

The Constitution provided that the Annual Meeting of Council considered the establishment of committees, their size and terms of reference. Certain matters were laid down by law and the Council had no discretion in its considerations.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations in the report and following a discussion a vote was taken on a show of hands and it was **RESOLVED**.

1. **That the Committees listed in Appendix A be appointed for the Municipal Year 2022/2023.**
2. **That the size of the Committees listed in Appendix A be agreed.**
3. **That the Terms of Reference of the Committees listed in Appendix A be agreed.**
4. **That the Council's Monitoring Officer be authorised to make the necessary changes to the Constitution.**

### **Reasons for Recommendation**

The Council operates a committee system form of governance and is required by law to establish certain committees and has discretion to appoint other committees to facilitate the effective conduct of business under that committee system.

## 11. Political Balance, Allocation of Committee Seats and Committee Appointments

The Council was required to:

- a) Approve the allocation of seats on Committees;
- b) Receive the nominations from political groups to Committees and make appointments to committees as shown in the nomination sheets and
- c) Appoint Chairs and Vice-Chairs of Committees..

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

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

1. That the allocation of seats as set out in Appendix A be approved.
2. That the nominations from the political groups to Committees as set out in Appendix B.
3. That the Chairs and Vice-Chairs of Committees as set out in Appendix B be appointed.

### Reasons for Recommendation

The Council is required to make appointments to those Committees that have been established by Agenda Item 10 for the effective discharge of its functions.

## 12. Committee Calendar for 2022-2023

The Constitution provided that the Annual Meeting of Council would consider an item of business to agree the date, time and place of Ordinary meetings of Council and its Committees for the coming Municipal Year.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendation in the report.

An amendment to the calendar was suggested by Cllr Mynott to include an Ordinary Council meeting in March. Officers suggested the wording for 15 March 2023, "if required" be removed, which was accepted by Cllr Mynott and Cllr Hossack.

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

- 1. That the Calendar of Meetings attached as Appendix A for 2022/2023 be approved.**

**Reason for Recommendation**

The Calendar of Meetings enables effective and efficient decision making throughout the Municipal Year.

**13. Members Allowances 2022-2023**

The Council operates a Members' Allowances Scheme which is reviewed annually by the Independent Remuneration Panel (IRP). The Members' Allowance Scheme is Chapter 6 of the Council's Constitution, the IRP have reviewed the current scheme and have made recommendations for the 2021/22 Municipal Year and is attached in Appendix A.

Following the IRP meeting held on 17th December 2020, the IRP report has recommended to round down current member allowances to the nearest £50. The report also recommends to utilise the savings to introduce a new special responsibility allowance to the Mayor and Deputy Mayor for their roles of Charing Ordinary Council.

After a full discussion, Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations in the report and by a show of hands, this was **RESOLVED**:

- 1. That the report of the Independent Remuneration Panel at Appendix A be noted.**
- 2. That the Members Allowances at Appendix B be agreed and delegated authority is given to the Monitoring Officer to amend the constitution.**

**Reasons for Recommendation**

The Local Authorities (members Allowances) (England) Regulations 2003 require that before Council can determine its Members Allowances for the forthcoming Municipal Year, it must consider a report from the Independent Remuneration Panel.

**14. Urgent Business**

There were no items of urgent business.

The meeting concluded: 20:08

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# Agenda Item 7

<b>Committee:</b> Ordinary Council	<b>Date:</b> 22 <sup>nd</sup> June 2022
<b>Subject:</b> Public Questions	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew – Corporate Manager (Democratic Services)	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew – Corporate Manager (Democratic Services) Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Information

In accordance with the Council's Constitution, a member of the public resident within the Borough may ask a maximum of two questions relating to the business of the Council providing notice has been received by 10.00am two working days before the relevant meeting.

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

Mrs Jan Gearon-Simm has submitted two questions.

1. *Brentwood Borough Council invited The Local Authority Association to produce a Corporate Peer challenge. This investigated the performance of the Council.*

*The Corporate Peer Challenge recommended that:*

*Brentwood Borough Council (BBC), develops a partnership plan to ensure existing partnership arrangements are appraised and compared – with performances and value for money strong considerations.*

*BBC were also advised to consider these in light of new opportunities with Rochford or others which all provided greater resilience over the longer terms.*

*Has BBC developed such a partnership plan?*

*How much has the outsourcing of Council services to other local authorities cost Brentwood Council tax payer?*

2. *Clause 99 of the Levelling Up and Regeneration Bill strengthens the procedure for completion notices for planning permission. It is clearly Government Policy to facilitate action to secure completion of development in accordance with approved plans.*

*Will you make representation for amending the Bill so that completion notices should also be introduced for Building Regulation application certifying that the works have been carried out according to the plans?*

*At present , it is a matter of the land owner to apply for completion certificates, but if they do not – and many do not until they come to sell – there is nothing that can be done.*

<b>Committee:</b> Ordinary Council	<b>Date:</b> 22 June 2022
<b>Subject:</b> Appointment of representatives on Outside Organisations 2022/2023	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew - Corporate Manager (Democratic Services) and Deputy Monitoring Officer	<b>Public</b>
<b>Report Author:</b> Name: Claire Mayhew - Corporate Manager (Democratic Services) and Deputy Monitoring Officer Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For Decision</b>

## Summary

Following a change to the Council's Constitution on 25 January 2017. Councillors are now appointed to a number of outside organisations by Ordinary Council. Many of the outside organisations support and advance the broad objectives of the Authority. Representations come about either through the Authority initiating the appointment, or an organisation requesting a representative being nominated or a Charity Commission rule that a Council representative is appointed.

Following consideration of the list of nominations and to ensure effective use of Councillors resource and support for outside organisations it is considered appropriate to categorise the list in the following:

- Statutory Representatives
- Trustee
- Council has interest whether financially or otherwise
- Others – point of contact

Where a Councillor is required to be a point of contact it is considered appropriate for the outside organisation and the Councillor to make contact and discuss the best approach.

The list of nominations for representatives/point of contact on outside organisations is presented at the Ordinary Council meeting each year for Members' approval (Appendix A).

In January 2021, Council's approved an amendment to Chapter 4, Paragraph 27 of the constitution to state:

### 27. Outside Bodies

*27.1 Any person appointed by the Council to serve as our representative to an outside body shall be appointed until they resign, are dismissed or their successor is appointed. Members shall cease to hold appointments on the fourth day after the ordinary day of election unless they are re-elected as a Borough Member at the Election.*

- (a) *The Council should not appoint where there is a conflict of office or interest*
- (b) *The Council should not appoint where the appointment holds a risk that insolvency of the body would render the appointee debarred from office i.e. where the appointment is an effective directorship listed at Companies House.*

27.2 *The Chief Executive will:*

- (a) *in consultation with the appropriate Group Leaders, revise as necessary appointments to outside bodies arising as a result of a vacancy or otherwise;*
- (b) *in consultation with the Leader of the Council and the Group Leaders, agree the allocation of appointments to any new outside bodies or organisations.*
- (c) *ensure that the body meets the criteria for an appointee*

27.3 *The Appointee will:*

- (a) *ensure a good flow of communication between the outside body and the council. This will include non-confidential matters that the appointee may consider to be of interest or significance to either party.*
- (b) *upon request of the Chief Executive, provide an update on any disclosable matters pertaining to the outside body.*
- (c) *be prepared to provide a brief report to the Audit & Scrutiny committee when requested to do so under the work programme.*

A review of the Outside Organisations appointments was presented at Audit & Scrutiny Committee on 8<sup>th</sup> March 2022. Members requested that a Working Group be formed to review the appointments to Outside Organisations.

It was approved unanimously that the review would be added Work Programme for the purpose of evaluating and recommend the removal of any Outside Organisations to Ordinary Council for the new municipal year 2023/2024. No removals of appointments will be made in 2022/2023.

### **Recommendation(s)**

**Members are asked to:**

**R1 That the list of outside bodies and nominated representatives/point of contact for 2022/2023 shown in Appendix A be approved.**

**OR**

**R2 Alternative nominations on outside bodies for the appointments of representatives/point of contact for 2021/2022 shown in Appendix B be approved.**

### **Main Report**

#### **Introduction and Background**

1. The Council will need to be satisfied, and remain satisfied throughout the year, that the list of outside bodies only contains bodies upon which the Council could properly or would wish to nominate representatives and to be represented. Or where a Member could be an appropriate point of contact.
2. The list of nominations for representatives on the relevant outside organisations are now presented at the Ordinary Council meeting each year for Members' approval.
3. The choice of nominations put forward by the relevant Group Leaders are made in the light of the need to avoid conflicts of interest (including how any such nomination if successful would impact on the particular Member's other duties such as being a member of any committee of the Council upon which they have been nominated to serve and are serving). No nomination for a role should be put forward where a conflict of interest is likely to arise to a significant degree.
4. The capacity upon which a successful nominee is to serve needs to be borne in mind and the implications fully understood, from their personal viewpoint, that of the Council and that of the particular organisation.
5. Members who serve on outside bodies must exercise independent judgment in the interests of the organisation in which they are involved.

6. Where a Member is serving on the outside body in a representative capacity (i.e. representing the Council), this should be made plain to that body and the Member, whilst being aware that they have a commitment to representing the Council on the outside organisation, must also be aware that it is their responsibility to decide what view to take on any question before the outside organisation.
7. Where a Member is acting as an Independent Trustee, Director or Member of a Management Committee of an outside body, the Member must act in accordance with that body's interests, and not those of the Council or even the council tax payers at large.
8. Whilst there could, in exceptional circumstances, be a situation in which a representative on an outside body may find themselves unable to adequately carry out their responsibilities properly, both as a Member of the Council and as a member of the outside body, there are advantages to having Members carefully appointed to relevant outside organisations.

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

9. Members are now appointed to a number of outside organisations by the Ordinary Council. Many of the outside organisations support and advance the broad objectives of the Authority. Representations come about either through the Authority initiating the appointment, an organisation requesting a representative being nominated or a Charity Commission rule that a Council representative is appointed.
10. The Council's Partnership Policy encourages effective partnership working wherever appropriate to help deliver the Council's goals and overcome constraints. The Policy aims to ensure that the Council's time is spent productively and effectively. When a Member is appointed to an outside organisation, they act on behalf of that organisation, and may participate fully in the activities. Where it is felt appropriate the nominated Member can act as a point of contact and make agreement with the outside organisation how the Member can best serve them.

### **Consultation**

11. Details of outside organisations and their nominated Member representatives are published on the Council's website.
12. Further work is being undertaken to work with some organisations that appointed Members of the Council that have been appointed on the Outside Organisation as Trustee and are listed on Companies House under that organisation. The Council are consulting with these organisations to appointing a council representative

instead of a Trustee to encourage the ongoing support that will benefit both the Council and the organisation.

13. Alternative nominations for these appointments have been received from the Liberal Democratic Group and are attached at Appendix B.

### **References to Corporate Plan – Brentwood 2025**

14. Explore opportunities to work further with stakeholders and partner organisation

### **Implications**

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

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

15. There are no direct financial implications arising from this report. However financial implications may need to be taken into consideration when reports are reviewing outside organisations each municipal year.

### **Legal Implications**

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

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

16. Those appointed to serve on outside bodies will need to remain alert and exercise careful judgment to avoid conflicts of interest (actual and perceived). The concept of bias or perceived bias is wider than the Members' Code of Conduct.
17. The Members' Code of Conduct applies whenever a Member (a) conducts the business of the Authority, or (b) acts as a representative of the Authority.
18. When a Member acts as a representative of the Authority (a) on another relevant authority, the Member must, when acting for that other authority comply with that other authority's code of conduct; or (b) on any other body, the Member must, when acting for that other body, comply with the Authority's Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

19. A Member appointed to an outside body as a trustee will need to be aware of the legal duties of a trustee and the implications that may have on them.

**Economic Implications**

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

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

20. There are no direct economic implications arising from this report.

**Equality and Diversity Implications**

**Name & Title: Kim Anderson, Corporate Manager Communities, Leisure and Health**

**Tel/Email: 01277 312634/kim.anderson@brentwood.gov.uk**

21. There are no direct equality and diversity implications arising from this report.

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

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

22. None

**Appendices to this report**

Appendix A - List of outside bodies and nominated representatives 2022/2023.

Appendix B - Alternative nominations to outside bodies 2022/2023 submitted by the Liberal Democratic Group



<b>Committee:</b> Ordinary Council	<b>Date:</b> 22 <sup>nd</sup> June 2022
<b>Subject:</b> Notices of Motion	<b>Wards Affected:</b> All
<b>Report of:</b> Claire Mayhew – Corporate Manager (Democratic Services) & Deputy Monitoring Officer	<b>Public</b>
<b>Report Author/s:</b> Name: Claire Mayhew – Corporate Manager (Democratic Services) & Deputy Monitoring Officer Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	<b>For Decision</b>

## Summary

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

### **Motion 1 – Received on 1<sup>st</sup> June 2022 @ 12:51**

**Mover: Cllr Lewis**

**Seconder: Cllr Naylor**

*Recent economic analysis suggests the numbers of electric vehicles in the UK will reach 10 million by 2030 and 15 million by 2035. By 2030, this may imply a total pool in Brentwood of 15,000 - 20,000 electric vehicles.*

*Brentwood currently has [3] public charging points. Given the importance of electric vehicles to our future environment and economy and the difficulty of many electric vehicle owners in accessing personal charging facilities, there is a strong case for public and private commercial provision of electric charging facilities.*

*This council requests that within 4 months of today's date (or the next subsequent PRED committee thereafter), a report be prepared for PRED including an analysis of:*

- current and future resident and business requirements for electric charging facilities in Brentwood 2022-2030*
- options for the different types of public and private commercial provision of electric charging facilities in Brentwood including a comparative analysis of the costs, revenues, benefits and risks of each possibility*
- an assessment of what other councils across the UK are doing in this area*
- recommendations of next steps in regard to implementation of the required EV charging points for PRED committee to review, assess and approve.*

**Motion 2 – Received on 3<sup>rd</sup> June 2022 @ 19:07**

**Mover: Cllr Hones**

**Seconder: Cllr Hossack**

*This council objects to the East Anglia Green proposals to run high voltage cable across East Anglia and subsequently through Essex and the Borough of Brentwood, to deliver offshore wind generated power from Norfolk through to Tilbury.*

*We are fortunate to have natural assets in the form of a coastline and the Thames Estuary by which offshore power can be delivered to a location on the Thames, with minimal disturbance to land.*

*The National Grid appear to have discounted offshore cabling and come up with a solution that cuts a scar right across east Anglia, with questionable logic as to how the construction of infrastructure and supply of necessary materials, could have a lower carbon delivery of the project when compared with offshore cable laying.*

*The green energy agenda should not be delivered at the expense of our landscapes and the project itself should seek to be delivered with the minimal emission of carbon possible.*

*This Council resolves to write to National Grid and the Secretary of State at BEIS, requesting current proposals are reconsidered for a less harmful option, extending the consultation period if necessary to include the case for offshore cable routing for the delivery of renewable power.*

**Motion 3 – Received on 6<sup>th</sup> June 2022 @ 08:12**

**Mover: Cllr Laplain**

**Seconder: Cllr M Cuthbert**

*This council resolves to write to Alex Burghart MP requesting that he details exactly what benefits the legislation on Unauthorised Development that has been introduced, as outlined in his 2019 election manifesto, will have for the people of Brentwood and Essex in general along with the expected timescale for this to be brought forward. Will this legislation stop unauthorised Traveller developments such as those that have occurred at Oak Tree Farm Blackmore and Five Acre Farm Great Warley, both of which have caused Great expense to this Borough as well as expense and distress to local communities?*

## **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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