

Minutes

Ordinary Council Wednesday, 7th December, 2022

Attendance

| | |
|-----------------------------|------------------|
| Cllr Mrs Francois (Mayor) | Cllr Kendall |
| Cllr Aspinell | Cllr Laplain |
| Cllr Barber | Cllr Lewis |
| Cllr Barrett (Deputy Mayor) | Cllr Mrs Murphy |
| Cllr M Cuthbert | Cllr Mynott |
| Cllr Mrs Davies | Cllr Mrs Pearson |
| Cllr Mrs Fulcher | Cllr Poppy |
| Cllr Fryd | Cllr Reed |
| Cllr Gelderbloem | Cllr Russell |
| Cllr Haigh | Cllr Slade |
| Cllr Hirst | Cllr Tanner |
| Cllr Mrs Hones | Cllr Wagland |
| Cllr Hossack | Cllr White |
| Cllr Jakobsson | |

Apologies

| | |
|---------------------|--------------|
| Cllr Dr Barrett | Cllr McLaren |
| Cllr Bridge | Cllr Parker |
| Cllr Mrs N Cuthbert | Cllr Sankey |
| Cllr Heard | Cllr Wiles |

Not Present

Cllr Cloke
Cllr Naylor

Officers Present

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| Phoebe Barnes | - Director - Assets & Investments |
| Sarah Bennett | - Director - Digital & Customer Engagement |
| Greg Campbell | - Director - Policy and Delivery |
| Phil Drane | - Director - Place |
| Zoey Foakes | - Governance & Member Support Officer |
| Marcus Hotten | - Director - Environment |
| Andrew Hunkin | - Interim Director - People & Governance |
| Tracey Lilley | - Director - Communities & Health |
| Nichola Mann | - Corporate Manager - Human Resources |

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|---------------------|---|
| Claire Mayhew | - Corporate Manager (Democratic Services) and Deputy Monitoring Officer |
| Jonathan Stephenson | - Chief Executive |
| Steve Summers | - Strategic Director |
| Tim Willis | - |
| Emily Yule | - Strategic Director |

LIVE BROADCAST

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

253. Apologies for Absence

Apologies were received from Cllrs Parker, N Cuthbert, Sankey, McLaren, Bridge, Wiles, Heard, Fryd and T Barrett.

254. Declarations of Interest

No declarations were received.

255. Mayors Announcements

“It was an honour as the Mayor of Brentwood to be part of 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.

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 in the High Street. It was an enjoyable afternoon of entertainment and great to have Lighting Up Brentwood back on the High Street..

I also hosted my Civic Carol Service at Brentwood Cathedral yesterday and it was such a great service surrounded by fellow Chain Gang Mayors and Chairman, Members and those in the community. 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 Star of Brentwood Awards nominations for 2022 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.

I look forward to attending more events in and around the Borough in the new year. I would like to take this opportunity to wish you all Merry Christmas and a Happy New Year ahead.”

The Mayor informed Members of the sad passing of former Strategic Director, Ian Winslet and a minute silence was held.

256. Minutes of the previous meeting

The Ordinary Council meeting held on 2nd November 2022 were **APPROVED**. The minutes contain a summary of the meeting, to view the full meeting, please visit <https://youtu.be/oqbFCLXkrg4>.

257. Memorials or Petitions

No memorials or petitions were received.

258. Committee Chairs Reports and Members Questions

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 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.

Cllr Kendall put a question to the Chair of Policy, Resources & Economic Development.

At the recent Policy, Resources and Economic Development Committee, concerns were raised by Liberal Democrat members regarding the new evening car parking charges and a discussion took place on those challenges. Clarification was given but can the Chair confirm are all those new charges now set in stone or following that discussion are they going to be reviewed?

Councillor Hossack, Chair of Policy, Resources and Economic Development responded:

The PRED committee approved the charges that you saw in the schedule on the night so they will go forward but what I also recall from the debate was the impact which was unquantified at this point as to whether people who are

residents in the area may use that parking overnight if they haven't got available on street parking. So the charges as we discussed in the schedules will go ahead through the budget setting process. The question around resident parking which we did agree that we would take note and that's something that we do need to come back to you at either at a future PRED meeting or sometime sooner or I can provide you a written answer when Greg's looked into that. That was the only issue for me that we took away from that everything else would be as approved.

Cllr Laplain put a question to Cllr Russell, Chair of Community, Environment & Enforcement:

There has been a mattress dumped to the corner of Wash Road. It is more than just a Ward issue – It has been there for coming up to four weeks. I have chased officers to get it removed and they suggested that there is an issue with resourcing in terms of clearing. This troubles me as four weeks is a considerable amount of time for just one item. Is there an issue with resourcing? In terms of fly tipping, is there something being done to address it?

Councillor Russell, Chair of Community, Environment & Enforcement responded:

There has been some resource issues as you are aware and there has been some issues at the Depot with staff. Without going into too much detail about that, we are reviewing the situation and there will be an update at the next Community, Environment & Enforcement Committee.

Councillor Mynott asked a question to Cllr Tanner, the Chair of Planning & Licensing:

In relation to the issue of the land north of Roman Road, paragraph 8.1 of the planning chapter of the Constitution says that planning site visits will take place in relation to sites if in Case Officers opinion they should in relation to Major applications and sites of strategic importance. In this case, the Case Officer apparently assumed that a site visit had taken place so she clearly wasn't opposed to a site visit. Paragraph 7.2.1 the planning code of good practice says that site visits can be beneficial if particular site factors are significant in terms of the weight attached to them or difficult to assess in the absence of a site inspection and obviously in this case the amount of noise that that site is subject to is something that can't be assessed from pictures on a screen and a presentation of that kind. So it's exactly the kind of thing that a site visit is intended to serve but in this case there were no site visits. We got two different answers and I'm not going to quote that they seem to be contradictory; one of them seemed to be saying there was no site visit because the site couldn't be accessed; the other one said that there was no site visit because the site was easily accessed and could be got onto by any member at any time which was also true of site R22 directly opposite and we had a site visit in that case so I still don't understand we didn't know why we didn't have a site visit for this major application where there was a crucial

factor that couldn't be assessed without actually visiting the site so I'd welcome an explanation.

Councillor Tanner, Chair of Planning responded:

This issue has been covered at the Planning Committee and was covered before the Planning Committee in an email exchange. No law regulation requires a site visit to take place, the Constitution doesn't require a site visit to take place in every case. We had advice from the Officers as to why a site visit wasn't appropriate in that particular case nevertheless Councillors from all parties on both sides, or I think almost every Councillor did make a site visit in any case and they were able to assess that for themselves.

Councillor Poppy put a question to Cllr Hossack, Chair of Policy, Resources & Economic Development:

What the resources of the Depot in general are at the moment and what plans are ahead for that?

Councillor Hossack, Chair of Policy, Resources and Economic Development responded:

There are challenges and issues that we are facing at the Depot. In terms of pay which is which is a challenge particularly for those who are operating within Street Scene, some of the lower paid in our organisation and the retention of such staff in a cost of living crisis puts pressure on. For example with our drivers and their pay at the moment, they can easily migrate out into private sector if they have an HGV License and do something slightly different for maybe £10-20K more. We are dependent on agency staff or on people who step up and do those roles so which in itself is the sort of issues you have got but I think what I would say about resources is this and this is the overarching message and the financial resource that this Council has. We discuss widely at this forum and the PRED Committee, it is quite clear there is a challenge in resourcing everything we need to do. Now the reality is as I have said it before in this Chamber, if we were to provide resource at the level of these illegal fly tippers we just couldn't do it - we couldn't afford to do it we probably need to find a significant amount of money to put the right number of resource to clear away at the rate it is being dumped. That is the reality that we need to factor into our budget so we are getting by as best we can. I accept that it is not always as good as we all like. It is not just the economic climate that we're in at this stage and I think many Councils across the UK across England certainly are facing the same sort of challenge.

Councillor Aspinall put a question to Cllr Hossack, Chair of Policy, Resources & Economic Development:

In regards to the High Street, we are coming up for a perfect storm on Saturday with the Seasonal celebrations and the England football match. I don't know what if any particular efforts are being made to police the High Street.

Also we have a question of parking that has been ignored – we have gone to the expense of providing these planters on the High Street to keep traffic off of the Pavements and you can see the damage they've done to them but at the bottom of the High Street they are using the other side of our street. One night last week, a car was parked with four wheels on the pavement right up against the windows of the shop double parked and nobody could get past.

Councillor Hossack, Chair of Policy, Resources and Economic Development responded:

We all know there is an issue – your concerns are not being ignored. You talked about the expense of the planters which were a part of a solution, they may help a little. I think there was some other information coming forward to a decision-making committee where we can talk about the extension of the planters further up the High Street. I believe that is in progress but I can assure you the issue is not being ignored. Regarding the football on Saturday, we are promoting quite heavily particularly on social media the amount of effort of the Enforcement Team are doing and their presence around the Borough. It has really ramped up and the promoting of the Team has had a really good reception from the public in terms of they can see that we are making a visible effort to tackle any potential instances occurring. It is not an easy problem to fix.

We are applying pressure points in different areas and the other thing that happened last week is an engagement event with Deliveroo due to the vast number of take away drivers parking on the pavement on the High Street particularly. We are pioneering with Deliveroo and are the first Council to do this and they now want to show what we are doing in Brentwood with City councils like Cardiff and Edinburgh. What we have done is we had the whole team down from the Deliveroo Head Office in London and we engaged with all of the Riders. We have said to Deliveroo riders can park in specific allocated off-street parking bays in Chatham Way and in William Hunter Way where they can pull up they get 15 minutes free parking. We issue them with a magnetic sticker that says "I'm collecting food for a delivery" and they don't get a ticket. We are trying to make it really easy for them to change their parking behaviours and I am hoping it will have a positive impact and they actually want to take away what we are doing in Brentwood to fix this problem and share it with other Town Centres who are also suffering the same problem. I don't think we will eliminate it entirely and it is not an easy battle but we are being quite Innovative in the way that we battle it.

Councillor Fulcher put a question to the Chair of Audit & Scrutiny:

In regards to the BLT Working Group report, is there any update and outcomes on this.

Councillor Hirst, Vice Chair of Audit & Scrutiny responded:

The report came to Audit and Scrutiny, it was accepted and the Committee referred it on to Community, Environment & Enforcement Committee.

259. Public Questions

Mrs Jan Gearon-Simm has submitted one question.

In November 2021, Boris Johnson's government announced rules that all new homes to have an electric car charger.

Arguing against this are FTSE 100 construction firms group and Taylor Wimpey.

Transport and Environment, (T&E), a campaign group, has criticised this lobbying.

Domestic electric car charges will allow people to charge their cars overnight when energy is cheaper.

WILL THE PLANNING RULES FOR BRENTWOOD BOROUGH COUNCIL ENSURE THAT PLANNING APPROVAL IS GIVEN ONLY IF ELECTIC CAR CHARGES ARE INSTALLED ON ALL PLANNIGN APPLICATIONS?

Cllr Hossack responded as followed:

Thank you for your question. The council's recently adopted local plan requires all new development proposals to maximise the opportunity of occupiers and visitors to use electric and low emission vehicles. This includes provision of electric vehicle charging, plug-in points and/or the space and infrastructure required to provide this in future. That is set out in Policy BE11. It is worth noting that this policy was drafted over the course of several years including through the recent local plan examination, and during that time the issue of energy consumption and electric vehicles has been very quickly changing. So, whilst the policy does not explicitly require each new home to have an EV charging point, national policy has now moved ahead.

In June 2022 an overhaul of the country's Building Regulations came into effect. Part S of the regulation requires every new home with associated parking, including those created from a change of use, to have facilities for charging electric vehicles.

There is more detail in the regulations about how this applies to types of development and I would encourage you to review that. There are other changes to the Building Regulations that aim to increase energy efficiency in buildings across England.

It's important to note that there is a grace period taking effect until 2023 for buildings that are currently still in the build process. If an applicant applied for a building notice or initial notice before 15 June 2022, the project would still be considered under the previous regulations, provided building work begins before 15 June 2023. But if an applicant obtained Building Regulation

approval under the old regulations, they must begin work on the development by 15 June 2023 or the new regulations will apply.

We also should be mindful of the need to retrofit existing homes and the issue of providing EV charging for on-street parking. An issue I know Essex County Council and other highways authorities are considering options and rolling out solutions. But within that we know that there need to be a range of places for people to charge their electric vehicle, like at their place of work and during longer journeys. So, the issue is not restricted to residential properties.

There may be certain developers challenging the Government on these changes as you point out. That will be for the legal process to take its course and local planning authorities to react accordingly. This council will do all it can through local and national policy to improve the long-term sustainability of our borough, including increasing provision of EV charging with new homes.

Mrs Leah Haskoylu has submitted one question.

King Georges Playing Fields have had CCTV put in place as part of the redevelopment. There is no visible signage to advertise the CCTV, and it is not actively monitored in real time, which means it still relies on residents to continue to report incidents after the event. Given the continued anti-social behaviour in the play area, the unmonitored and undeclared surveillance is proving totally ineffective.

What is the council doing to do to reassure local residents that they will reassess the ineffective CCTV and tackle the continued anti-social behaviour in the play area in the evenings?

Cllr Hossack responded as followed:

The CCTV is up and running in King George's Playing Fields. Signage is up around each of the cameras with one pointed at the play area. I can confirm that there is a live feed from the camera, back to the Town Hall so is monitored 24/7.

Any incidents of ASB should be reported to the Council, so that Officers can target dates and times of patrols through the park.

There is review that is currently being undertaken of CCTV across the borough.

260. Designation of Statutory Roles - Monitoring Officer and Section 151 Officer

The Council has recently undergone a restructure of the Leadership Team at Tiers 2 and 3 and is looking to recruit to the permanent roles of Director of People and Governance, Director of Resources and Director of Housing.

Under legislation, the Council must designate to the statutory roles of the Monitoring Officer and Section 151 Officer and the report set out the proposed designations.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations within the report. A vote was taken by a show of hands and was **RESOLVED UNANIMOUSLY**.

Members thanked Steve Summers for his support in his role as Interim Monitoring Officer.

Recommendations

- R1. Designate Andrew Hunkin as the Monitoring Officer for the Council.
- R2. Designate Tim Willis as the Section 151 Officer for the Council.
- R3 Authorise the Monitoring Officer to make any necessary subsequent changes to the Council's Constitution.

Reasons for Recommendation

The Council is required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as its Monitoring Officer, to discharge statutory responsibilities relating to the Council's Constitution and arrangements for effective governance.

The Council is required by Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs and to designate one of its officers to have responsibility for the administration of those affairs.

Both designations must be approved by full Council.

261. Harmonisation of pay, terms and conditions for the #One Team Partnership

The report set out the harmonisation of pay, terms and conditions as part of the #One Team Partnership with Rochford District Council and the implications and risks if the Council was to continue with the Partnership without harmonising.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations within the report. A vote was taken by a show of hands and was **RESOLVED**.

Recommendations

- R1. Approve the proposed #One Team Pay Scales, as set out in Appendix A of this report, subject to the final negotiations with Unison.
- R2. Approve the proposed #One Team Terms and Conditions, as set out in Appendix B of this report, subject to the final negotiations with Unison.

Reasons for Recommendations

To ensure there is a single unified pay structure, as well as terms and conditions to create parity across both this Council and Rochford District Council. This will also ensure we remain competitive within the Local government sector, minimising recruitment and retention challenges we are facing within the sector.

262. Notice of Motion

This motion was deferred from Ordinary Council on 2nd November 2022.
This motion was deferred again as the mover of the motion Cllr Cloke was not present at the meeting.

Motion 1 – Received on 13th October 2022 @ 18:07

Mover: Cllr Cloke Seconder: Cllr Laplain

Members call for the Borough Council to produce a comprehensive Cost of Living Crisis leaflet to be distributed to every home in Brentwood, signposting what support is available to Brentwood residents from the Council and various organisations offering help and advice.

This motion was deferred from Ordinary Council on 2nd November 2022.

Motion 2 – Received on 13th October 2022 @ 18:07

Mover: Cllr Kendall Seconder: Cllr M Cuthbert

The Liberal Democrat Group calls upon the Council Officers in the Economic Development Department to organise a Brentwood Job Fair event in 2023 to support local businesses and help local residents find work within the Borough. This could be a standalone event or one held alongside the Business Showcase.

Members requested a report is brought to a future committee if agreed.

An **AMENDMENT** to the motion was **MOVED** by Cllr White and was accepted by the original mover Cllr Kendall for the motion to read as:

Members call upon the Council Officers in the Economic Development Department to organise a Brentwood Job Fair event in 2023 to support local businesses and help local residents find work within the Borough. This could be a standalone event or one held alongside the Business Showcase.

Following a full discussion, a vote on the motion was taken by a show of hands on the amended motion and it was **RESOLVED UNANIMOUSLY**.

This motion was deferred from Ordinary Council on 2nd November 2022.

Motion 3 – Received on 13th October 2022 @ 18:07

Mover: Cllr Mynott Seconder: Cllr Aspinell

The Borough Council will hold a public meeting at a suitable venue to present its Cost of Living Action Plan to local residents and will have officers and representatives from support agencies on hand to answer residents questions and listen to their concerns.

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

This motion was deferred from Ordinary Council on 2nd November 2022.

Motion 4 – Received on 14th October 2022 @ 14:43

Mover: Cllr Aspinell Seconder: Cllr Haigh

This Council resolves to investigate all avenues of available funding in order to supply and fix solar panels to our council properties, with a view to lowering energy costs borne by the Council and those Council tenants that would benefit from such an installation programme.

Additionally, the Council will investigate the installation of batteries for the storage of solar panel energy to enable continual electrical use.

The Liberal Democrat Group believe such a programme would make a positive contribution in addressing spiralling energy costs during this current cost of living crisis, but in future years as well.

An **AMENDMENT** to the motion was **MOVED** by Cllr White and was accepted by the original mover Cllr Aspinell for the motion to read as:

This Council resolves to ask officers to investigate and to report on appropriate strategies and avenues of available funding in order to support efficient adoption of environmental technologies such as; the supply and fix of solar panels, wind turbines, heat-pumps, battery storage, insulation and other affordable warmth measures to our council , with a view to lowering energy costs borne by the Council and those Council tenants that would benefit from such an installation programme.

Additionally, they should investigate the installation of batteries for the storage of renewable energy to enable continual electrical use.

The Council believes such a programme would make a positive contribution in addressing carbon reduction targets and energy costs during the global cost of living crisis, but in future years as well.

Members requested that a report will go to the February Housing Committee with timescales.

Following a full discussion, a vote on the motion was taken by a show of hands on the amended motion and it was **RESOLVED UNANIMOUSLY**.

This motion was deferred from Ordinary Council on 2nd November 2022.
Motion 5 – Received on 14th October 2022 @ 14:43

Mover: Cllr Aspinell Seconder: Cllr Davies

This Council resolves to investigate the possibility of twinning with a town of comparable size in Ukraine once the current war in that country has been resolved and Ukraine is a free nation, once more.

The aim would be to undertake cultural and economic exchanges, explore business opportunities and demonstrate a general desire to help the people of that district/town to rebuild structurally and economically for their future.

Following a full discussion, a vote on the motion was taken by a show of hands and the motion was **RESOLVED UNANIMOUSLY**.

This motion was deferred from Ordinary Council on 2nd November 2022.
Motion 6 – Received on 14th October 2022 @ 15:53

Mover: Cllr Lewis Seconder: Cllr Kendall

Members call upon the officers to undertake a review on the opportunities that exist to recycle more of Brentwood resident's useful household materials that currently go to scrap. These materials would include furniture, warm clothes, cooking utensils etc and possibly heaters. All items that local people facing financial hardship might appreciate.

This review would also consider what extra financial and material support might be given to community organisations like the Lighthouse Furniture project, Moses Basket and others to perhaps expand and develop the services they currently offer.

Officers would also review the legal, financial and health and safety implications of any changes that would involve the Borough Council.

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

This motion was deferred from Ordinary Council on 2nd November 2022.
This motion was deferred again as the mover of the motion Cllr Naylor was not present at the meeting.

Motion 7 – Received on 16th October 2022 @ 23:10

Mover: Cllr Naylor Seconder: Cllr Laplain

Brentwood Borough Council urges the Government to go further on the £100 off-grid fuel support, and to urgently step-up investment, and subsidy, to alternatives to off-grid fossil-fuel dependency.

Brentwood Borough Council will write to the Secretary of State for Business, Energy and Industrial Strategy, to urge the UK government to offer stronger support to Brentwood residents who are not connected to the mains gas grid.

To demand urgent action for Brentwood households, and businesses, including an uplift to the payment to bring it in line with the support that has been put in place for on-grid customers.

To urgently step-up investment, promotion, reducing required skills gap, and subsidy, for alternatives to off-grid fossil-fuel dependency. For example, air-source heat pumps, and insulation.

And to write to the Department for Levelling Up, Housing and Communities to ensure new standards for housing and commercial developments built in areas that are off grid, are built to a sustainable standard that ensures no dependency on off-grid fossil fuel energy.

263. Urgent Business

There were no items of Urgent Business.

The meeting concluded at 9pm