



Agenda

Ordinary Council

Wednesday, 7 December 2022 at 7.00 pm

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

Membership (Quorum – 10)

Cllrs Mrs Francois (Mayor), Aspinell, Barber, Barrett (Deputy Mayor), Dr Barrett, Bridge, S Cloke, M Cuthbert, Mrs N 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, Slade, Tanner, Wagland, White and Wiles

Agenda

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Live broadcast

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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
22.11.2022

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.

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.

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.

Information for Members of the Public

Access to Information and Meetings

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

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

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

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

 **Private Session**

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  **Access**

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 **Evacuation Procedures**

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



Minutes

Ordinary Council Wednesday, 2nd November, 2022

Attendance

Cllr Mrs Francois (Mayor)	Cllr Jakobsson
Cllr Barrett (Deputy Mayor)	Cllr Kendall
Cllr Aspinell	Cllr Laplain
Cllr Barber	Cllr Lewis
Cllr Dr Barrett	Cllr McLaren
Cllr Bridge	Cllr Mrs Murphy
Cllr S Cloke	Cllr Mynott
Cllr M Cuthbert	Cllr Naylor
Cllr Mrs N Cuthbert	Cllr Parker
Cllr Mrs Davies	Cllr Mrs Pearson
Cllr Mrs Fulcher	Cllr Poppy
Cllr Fryd	Cllr Reed
Cllr Gelderbloem	Cllr Russell
Cllr Haigh	Cllr Slade
Cllr Heard	Cllr Tanner
Cllr Hirst	Cllr White
Cllr Mrs Hones	Cllr Wiles
Cllr Hossack	

Apologies

Cllr Sankey	Cllr Wagland
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Officers Present

Paul Adams	- Licensing Manager
Phoebe Barnes	- Corporate Manager - Finance
Zoey Foakes	- Governance & Member Support Officer
Julian Higson	- Interim Director of Housing
Marcus Hotten	- Assistant Director, Rochford District Council
Tracey Lilley	- Corporate Director (Housing & Community Safety)
Nichola Mann	- Corporate Manager - Human Resources
Claire Mayhew	- Corporate Manager (Democratic Services) and Deputy Monitoring Officer
Jonathan Stephenson	- Chief Executive
Steve Summers	- Strategic Director
Richard Wilson	- Commercial Consultant

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212. Apologies for Absence

Apologies were received from Cllrs Sankey and Wagland.

213. Declarations of Interest

Cllr Hossack declared that he was on the employees pay panel and declared this in relation to the Pay Award report.

214. Mayors Announcements

The Mayor spoke on the recent passing of Council employee Darren Laver, Chairman of Royal British Legion Brentwood Branch Syd Bryer, former Councillor Karen Chilvers, Council employee Amanda Julian, Mayor of Chelmsford Cllr John Galley and Her Majesty the Queen.

Members paid tribute to those passed to convey their condolence. A minutes silence took place in their memory.

215. Minutes of the previous meeting

The Ordinary Council meeting held on 27th July 2022 were **APPROVED** subject to the inclusion of Cllr Wiles as present 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=21ldFA-fcXc>

216. Public Questions

No public questions were received.

217. Memorials or Petitions

No memorials or petitions were received.

218. Vary the order of the agenda

The Mayor **MOVED** to vary the order of the agenda and was **SECONDED** by Cllr Hossack to take Item 7 of the agenda – Chairs reports and Members questions after Item 11 – Pay Award.

219. Baytree Shopping Centre Regeneration Proposal

The Baytree Shopping Centre is a 135,470 sq ft multi-let shopping centre with 36 tenancies producing £1,157,327 gross rental income p.a. and a guaranteed initial net operating income of £675,000 p.a. until February 2023. This asset was acquired in March 2021 for £10.8m plus acquisition costs. As part of this deal there was a net operating income guarantee of £675,000 for two years after which the net operating income will drop to £402,437.

Baytree is a strategic regeneration opportunity that would enable major re-shaping of Brentwood's town centre. This will include an enhanced mix of uses including, leisure, residential, food and retail combined with potential community uses which would create a relevant and vibrant future heart for the town.

By undertaking a proactive approach to re-generation within Brentwood the council is uniquely placed to prevent the further decline of in town services and help shape the future of the town centre.

The report set out proposals for the Council to re-develop the first phase of the Baytree Shopping Centre. The proposed redevelopment is to create a Cinema with leisure and additional retail units, residential units and new open air public space.

The total costs of the proposed re-development are forecast to be £23.340m (excluding financing costs) with a development time period of 18 months once the contractor has been appointed. This cost is split £21.898m on capital forecasts and £1.442m on revenue costs. The asset is currently leased to Seven Arches Investments Limited (SAIL) and as part of this arrangement have developed the regeneration plan. It is anticipated that Seven Arches Investments Limited will select the development partner during planning permission process and manage the redevelopment.

There are currently 36 tenants, generating a gross rental income of £1,157,327 per annum. This development would increase this to 30 tenants and a gross rental income of £1,780,000 per annum. Producing an additional £447,406 net revenue to the council per annum.

Officers and SAIL have completed an intensive feasibility study due diligence on the proposal and considered appropriate risk management implications. A detailed feasibility study on the development is set out in Appendix A of the report (exempt).

Cllr Mynott declared a non pecuniary interest due to his involvement with Brentwood Community Transport who are based at the Baytree Centre.

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

Cllr Aspinell **MOVED** to **DEFER** this item and Cllr Lewis **SECONDED** the deferral. Cllr Hossack who had moved the original motion did not accept the motion to defer.

Cllr Hossack **MOVED** an **AMENDMENT** and Cllr Poppy **SECONDED** for Recommendation 2 to read: *That delegated authority is given to the Chief Executive, Monitoring Officer and Section 151 Officer in consultation with the Leader to take all the steps necessary, including entering into any legal agreements required to complete the development proposed at Baytree Shopping Centre, Brentwood.*

A recorded vote was requested by Cllr White with 5 councillors in agreement by show of hands.

Members voted on the amendment:

FOR: Cllrs Francois, Barrett, Barber, Dr Barrett, Bridge, Gelderbloem, Heard, Hirst, Hones, Hossack, Jakobsson, McLaren, Murphy, Parker, Pearson, Reed, Russell, Slade, Tanner, White and Wiles (22).

AGAINST: Cllr Naylor (1).

ABSTAIN: Cllrs Aspinell, Cloke, M Cuthbert, N Cuthbert, Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Lewis and Mynott (12).

The **AMENDMENT** was **CARRIED**.

Members then discussed the substantive recommendation.

During this time, Cllr Hossack requested a closure motion - 8.3.12 of the Constitution. A vote was taken by a show of hands and was **CARRIED**.

Members then voted on the substantive motion with the agreed amendment.

A recorded vote was requested by Cllr White with 5 councillors in agreement by show of hands.

Members voted on the amendment:

FOR: Cllrs Francois, Barrett, Barber, Dr Barrett, Bridge, Gelderbloem, Heard, Hirst, Hones, Hossack, Jakobsson, McLaren, Murphy, Parker, Pearson, Reed, Russell, Slade, Tanner, White and Wiles (22).

AGAINST: Cllr Naylor (1).

ABSTAIN: Cllrs Aspinell, Cloke, M Cuthbert, N Cuthbert, Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Lewis and Mynott (12).

The new motion taken by a recorded vote was **RESOLVED**.

R1. That a total capital budget of £21.898m is approved for the intended redevelopment at The Baytree Shopping Centre as set out in the report.

That this budget is profiled within the Council's Capital and Investment Strategy as follows: 2022/23 £987,730 2023/24 £12,451,880 2024/25 £8,484,483

R2. That delegated authority is given to the Chief Executive, Monitoring Officer, Section 151 Officer in consultation with the Leader to take all steps necessary, including entering into any legal agreements required, to complete the development proposed at Baytree Shopping Centre, Brentwood.

Reasons for Recommendation

The proposed phase 1 redevelopment of the Baytree Shopping Centre would allow the Council to invest in a significant town centre asset and enabling the redevelopment and regeneration of the site and providing much improved public realm, social space and street scape for the residents of Brentwood as well as a financial income to the council.

This phase 1 redevelopment will also produce new employment opportunities for the residents of Brentwood, it will help produce an evening economy based around Everyman Cinema and leisure uses which are incorporated into this redevelopment. This will provide significantly improved town centre amenities and the attractiveness of the town for further investment.

220. Childerditch Industrial Estate Development Proposal

The report set out proposals for the Council to develop 6.66 acres of development land for open storage employment land at Childerditch Industrial Park, Brentwood, CM13 3HD.

Childerditch Industrial Park is a 42.75 acres mixed use industrial park strategically located adjacent to the A127 dual carriageway (within the South Brentwood Growth Corridor), which links to Junction 29 of the M25, less than two miles west of the property. This makes it within close proximity to the planned Lower Thames Crossing route, providing for wider links in future and solidifying the site as a successful industrial location.

The property provides industrial and warehouse accommodation totalling 173,386 sq ft, in addition to extensive areas of secure open storage, totalling 16.6 acres. This represents a very low 'site density' of 12.5% (built area). The total net lettable area is 24.25 acres, plus a 'development site' of 4.66 acres (subject to Planning), which is being extended to 6.6 acres to facilitate the relocation of the Warley Depot. The whole site was acquired in February 2021 for £59m (apportioned £54.5m for the 'income' and £4.5m for the development land of 4.66 acres in size).

The proposed development is to clear of shrubs and weeds the 4.6 acres site known as the development site together with the additional 2 acres of land to the southwest of the site let to Essex County Council and to create 3 market standard open storage yards, two (sites A1 and A2) of which will be let on the

open market and yard B will be reserved to house the Councils depot at nil rent.

The total costs of the development are forecast to be £6.103 m split between a capital forecast of £5.460m and revenue forecast of £643k with a projected peak cash flow of £3,000,000 with a development time period of 24 weeks once the contractor has been appointed. It is anticipated that Seven Arches Investments Limited will select the development partner during planning permission process in consultation with Council Officers. There are currently 25 tenants, generating a gross rental income of £2,804,882 per annum. This development would increase this to 27 tenants and a gross rental income of £3,363,632 per annum. Producing an additional £180k net revenue to the council per annum.

This additional open market open storage space is projected to increase the in Borough employment opportunities within Class E (formally B1), B2 and B8 employment uses and storage yards and increase the number employed at the park from approximately 700-800 people by approximately 50 people.

Officers and SAIL have completed an intensive feasibility study due diligence on the proposal and considered appropriate risk management implications. A detailed feasibility study on the development is set out in Appendix A of the report.

Cllr Naylor **MOVED** that discussion be taken in private session to discuss the exempt appendix and was **SECONDED** by Cllr Laplain. This session of the meeting, the press and public was excluded.

Following the discussion, Cllr Hossack **MOVED** and Cllr Bridge **SECONDED** to move back into private session in order to discuss the vote and recommendation of the report in the public domain.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** that the recommendations within the report with an amendment to R2 read: That delegated authority is given to the Chief Executive, Monitoring Officer, Section 151 Officer in consultation with the Leader to take all steps necessary, including entering into any legal agreements required, to complete the development proposed at Childerditch Industrial Estate, Brentwood.

A recorded vote was requested by Cllr Hossack with 5 councillors in agreement by show of hands.

Members voted on the motion:

FOR: Cllrs Francois, Barrett, Aspinell, Barber, Dr Barrett, Bridge, Cloke, M Cuthert, N Cuthbert, Davies, Fryd, Fulcher, Gelderbloem, Haigh, Heard, Hirst, Hones, Hossack, Jakobsson, Kendall, Laplain, Lewis, McLaren, Murphy, Mynott, Naylor, Parker, Pearson, Reed, Russell, Slade, Tanner, White and Wiles (35).

AGAINST: (0)

ABSTAIN: (0)

The vote was taken by a recorded vote was **RESOLVED UNANIMOUSLY**.

R1. That a total capital budget of £5.460m is approved for the intended development at Childerditch Industrial Estate as set out in the report. That this budget is profiled with the Council's Capital and Investment Strategy as follows: 2022/23 £938,967 2023/24 £4,521,326

R2. That delegated authority is given to the Chief Executive, Monitoring Officer, Section 151 Officer in consultation with the Leader to take all steps necessary, including entering into any legal agreements required, to complete the development proposed at Childerditch Industrial Estate, Brentwood.

Reasons for Recommendation

The development of the site will produce an increase net revenue to the council, increase the employment opportunities within the borough and enable the relocation of Warley Depot to a sensible location facilitating the redevelopment of the Warley depot for good quality housing. Furthermore, by undertaking the redevelopment of the Warley depot site it would enable the wide redevelopment master plan to proceed at pace. The Industrial Park provides for a diverse range of national and local tenants, employing 700-800 persons. The proposed development seeks to expand this providing more employment opportunities. 76. The development at Childerditch Industrial Park will provide an increased net contribution to the Councils budget of £180k p.a. enabling the council to provide services to the Borough's residents but also assist in balancing the Councils budget.

221. Licensing and Night-time Economy

Cumulative Impact Assessments (CIAs) were introduced as a tool for licensing authorities to limit the growth of licensed premises in an area.

Cumulative impact occurs when the saturation of licensed premises (on-license alone, off-license alone or both combined) in an area is identified as causing a concern about one or more of the licensing objectives, which is then supported by an evidence base which proves that a policy is required to more effectively manage and control the supply and consumption of alcohol in that area.

The report considered the process that would need to be followed to determine if there is sufficient evidence to support the introduction of a CIA under the Licensing Act 2003.

Cllr Hirst requested that the results should be publicised for the public when it is complete.

Cllr White requested that the findings are circulated to all Members.

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

Members are asked to:

R1. Agree for officers to work with partners including Essex Police, and the Community Safety Partnership to undertake a review of the Nighttime Economy and to consider evidence available to support a Cumulative Impact Assessment (CIA).

R2. To report findings to a future Licensing Committee for further consideration.

Reasons for Recommendation

To consider the evidence available and establish whether it is sufficient enough to support the introduction of a CIA in Brentwood Town Centre.

222. Pay Award

This report explains the national position on the local government pay offer for 2022/23 and the implications and risks if the Council was to continue with the budgeted 2% pay award within the 2022/23 budget.

Cllr Barrett a member of Unite and Cllr Dr Barrett a member of Unison abstained from the vote.

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

Members are asked to:

R1. Approve the proposed National Joint Council (NJC) pay offer for 2022/23, as set out in paragraph 9 of this report, is adopted for Brentwood employees, subject to the final negotiations.

R2. Approve the proposed Joint Negotiating Committee (JNC) pay offer for 2022/23, as set out in paragraph 12 of this report, is adopted for Brentwood employees, subject to the final negotiations.

R3. Delegated authority is given to the Chief Executive and Head of Paid Service to amend Brentwood's Pay Policy statement to reflect the revised pay scales for 2022/23.

Reasons for Recommendation

To ensure Brentwood's pay scales create parity and across Local government sector, neighbouring authorities and meet statutory National Living Wage requirements.

223. 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 Davies put a question to the Chair of Housing.

Thank you Councillor White for organising a review of some of the policies cross party which is very much appreciated. On the agenda in your report on

page 20 you are talking about the kitchen and bathroom Capital replacement program and there's a high level of satisfaction from tenants. Those that I have seen when I've been in the properties, I have to say the work does look very good however I am getting concerns and I'm wondering am I alone because I'm getting quite a few reports on the poor standard of Repairs Service from Axis. Their response time is probably the biggest problem. Tenants are getting left for quite a long period of time which is unacceptable. When I have reported them back to officers they are immediately reactive and try and get things put in place but I just wondered if maybe we could have a look just from the point of view of the emergency repairs ongoing.

Cllr White, Chair of Housing responded:

Thank you Councillor Davies. First of all, if I could echo my thanks to those members that turned up for our cross party review of the policies. I think it's helpful so that that we've been able to discuss and give officers some effectively informal feedback so they can help review the housing policies before they actually arrive at committee and that was very much something that I picked up from the July meeting. It was a chance to provide input and we could all unanimously agree many of the policies that were coming forward. I hope that's the case going forward in respect of looking at the responses to emergency call outs. I'll stand corrected if I'm wrong but I believe that those are included in some of the KPIs that we have with Axis in the contract and we would expect them to be reported at the Committee - I can certainly ask that at the next committee we can have a look at those in particular but the data should be data that's being captured.

Councillor Mynott put a question to the Chair of Policy, Resources and Economic Development.

In relation to the draft parking strategy at the PRED Committee, I was able to demonstrate and I quoted a specific paragraph in the local plan the fact that the draft parking strategy was directly contradicting what was being said in the

local plan. My question is where the draft parking strategy is contradicting the local plan, which takes precedence the draft parking strategy or the local plan?

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

I don't agree that it does contradict but in the event that it did, the parking strategy would be an informative for the local planning any decisions that were made but if that was the case that's how I see the purpose of the parking strategy. As I say, as an informative to the planning decisions and the plan itself.

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

On page seven of the agenda, the minutes of the previous meeting, I asked a question to the previous Chair of Planning in relation to the danger of properties overheating and I got an answer which is which is printed on page seven, and I then asked a follow-up question and I was told I'd get an answer now. This is not intended as a criticism of the previous Chair of Planning who was exemplary, I didn't see an answer come in and I searched for likely subject headings and I couldn't find one I then did a bit of research and as far as I can see the UK Government guidance page from the Department for Leveling Up Housing and Communities says that approved Document O which is what's being referred to on page seven in the answer that I got does not apply to buildings undergoing a change of use. The question the original question had to do with comments made by Mike Davis of UCL in terms of the (his words) "potentially deadly risk of office to residential conversions" and so my question to the Chair of Planning is would he agree that something needs to be done about permitted development conversions of office to residential given that somebody who is a committed for climate change member is concerned about the potentially deadly risk and apparently approved Document O does not cover those conversions.

Councillor Tanner, Chair of Planning responded:

I don't have any more detail on what is written in front of me so I will take it away and get some more detail back to Councillor Mynott. I think that sort of question is a classic question that should be written in advance so that more detail can be provided up on this on the day.

Councillor Laplain put a question to Cllr White, Chair of Housing:

I am in contact with several residents of The Gables in Warley. They have recently been through a lot of installation of doors and a lot of maintenance activity during which time some of that maintenance has been done in a very insensitive manner in terms of the environment with dust as such throughout the corridors in a very tight corridors for people who are quite vulnerable. Additionally the contractors have left doors open etc - it strikes me as a not a very sympathetic method of maintenance. I know this probably should have

been a written question I only just recently received an update. Could I have a response to that in terms of how we are supposed to know what kind of policy we have in terms of this.

Cllr White, Chair of Housing responded:

As an operational and Ward matter then I think it probably falls outside of the scope of questions to be answered here and I'd ask that you if you could drop an email to the Director of Housing and copy me in. I'd certainly be interested in following up on the details that you get in response. It is more of a case of the policy in terms of how contractors function.

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

I see that you've added a section on trees within your report, thank you. However it isn't quite extensive - it's not the question I've asked both at last

committee and at previous meetings. I think it's very important that we capture the impact of all of those elements. I know we've lost some trees during the summer but I'd like to see that documented far more inclusively.

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

I spoke to Cllr Laplain a couple of weeks ago, I have the data now, unfortunately with the timing of the planting, evaluations took place in September - that's the only way so you can understand that the loss is not definitive so overall planting loss in the borough has been in about the 76% figures which are in line with those of oak land field planting for the whole of the County as ascertained by the Essex Forest initiative partners but where Essex is the driest in Britain with rainfall average of 60 of the western side of the country in the last three years, Brentwood has shown itself to be at the lead in local Authority Agriculture and Forestry with an Essex exploring different establishment methods and so that's in the report is detailed in mulching etc with different ways of planting. I do intend to bring a report to the December committee which will help show and demonstrate with a table with the various failings in different areas of planting so we can analyse and get down to the detail of the loss in certain areas.

Cllr Kendall put a question to Cllr White, the Chair of Housing:

Under Fire risk assessment Capital program, it mentions about Drake House and Chichester House and the sprinkler system installations. Do you have any information tonight to the Ward Members and Members of the Housing Committee an update as to the projected installation dates will happen.

Cllr White, Chair of Housing responded:

I don't have that data in front of me and I am happy to answer that and for information to be passed to Ward Members of an update.

Councillor Fulcher put a question to Cllr Heard, Chair of Audit & Scrutiny:

This is a point of clarification and also a question to the Chair of Audit & Scrutiny. In relation to the formal complaints and performance indicator working group and the point of clarification is the report wasn't available at the time of committee to the committee members, could it be amended in the report. My further question is there's no mention of the Brentwood Leisure Trust working group and the work that they've done. I feel and I certainly hope is pertinent we've got the impending conclusion of the working group.

Councillor Heard, Chair of Audit & Scrutiny responded:

I couldn't actually capture a lot of the question but um I'm obviously new to the role but if you would like to have a discussion afterwards I'm more than happy to get all that information to you through officers.

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

At the last CEE Meeting, I asked a question under the King George's Playing Fields new development specifically about the play equipment and the zip wire and what was causing the delays from Poland and Croatia and I've not had a response from the officers or the Chair, I would have liked it to have been included in this report.

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

The zip wire carriages you are referring to are on order they should be with us soon. They should be with the manufacturer now so they are going back to their supplier to find out where they are.

Councillor Aspinell put a question to Cllr Hossack, Leader of the Council:

Several years ago with a previous Leader we had a presentation here from a Conservative Councillor from a Norfolk Council that was Conservative and he was of a mind that they needed an Overview and Scrutiny or a Scrutiny Committee and the Leader of the time said there was no need because they were all conservatives and they all needed to agree to what they were doing so it took him a while but they did get a Scrutiny Committee and it was difficult for the Chair of that committee being of the same party as the administration to actually hold the administration up to account but they managed to successfully do that at the time. Here we had members of the opposition as Chair of Scrutiny but for one reason or another the administration decided that they would take the Chair which is in your right to do so but it takes a certain type of person to be able to hold the administration to account - so would you agree with me the Planning Committee's loss is Overview and Scrutiny's gain?

Cllr Hossack, Leader of the Council responded:

Not wishing to comment or embarrass or cause anyone to blush, what I do is try and structure committees so we get the best possible people applying their skills and expertise and style of doing things to the right committee that suits. I am quite confident that all of the Committees that we've got on this side and members on the other side you do the same thing you'll appoint people with the best skills into the relevant committees. I think we all gain, I think we've got the right people in the right places and wouldn't wish to comment further on who that might be but I'm quite comfortable with all of my committees and the way I've appointed them and who serves them. I think we've got a good set of people.

Councillor Aspinell put a question to Cllr White, Chair of Housing:

Would it be helpful if we had a review of the Axis performance brought to the committee at some stage. Pilgrims Hatch have an overwhelming example of bad practice of bad workmanship. I don't know whether that is from Axis employees themselves or from subcontractors that they may employ but it is getting worse and some of them are very serious incidences.

Cllr White, Chair of Housing responded:

We do review the contracts, I wasn't on the committee last year I remember being present when there was a review taking place. I think it ties in with Councillor Davies' request earlier that she had an update in terms of response rates. If we're putting something on the agenda for the Housing Committee in the near future I think Housing Committee Members are always welcome to request an update on the performance of Axis or anybody else that we're using and so we can look to give the Committee an update.

224. Notice of Motion

The Mayor, in line with the Constitution 8.3.11 (g), explained that the motions had to be moved or deferred without debate.

Nine 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 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.

Cllr Cloke and Cllr Laplain DEFERRED this motion.

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

Mover: Cllr Naylor

Seconder: Cllr Kendall

The members of Brentwood Borough Council, call upon the Government to uprate Universal Credit and Social Security schemes, in line with inflation. This Council will write to the Secretary of State for Work & Pensions "Chloe Smith MP" and the Parliamentary Under- Secretary of State for Welfare Delivery "David Rutley MP , the Prime Minister Liz Truss and the Chancellor of the Exchequer "Jeremy Hunt". With a call from the elected representatives of Brentwood Borough Council to uplift Universal Credit and Social Security schemes, in line with the consumer price index (CPI) rate of inflation.

Without debate, a vote on the motion was taken by a show of hands and the motion was **LOST**.

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

Mover: Cllr Kendall

Seconder: Cllr N 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.

Cllr Kendall and Cllr N Cutbert **DEFERRED** this motion.

Motion 4 – 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.

Cllr Mynott and Cllr Aspinell **DEFERRED** this motion.

Motion 5 – 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.

Cllr Aspinell and Cllr Haugh **DEFERRED** this motion.

Motion 6 – Received on 14th October 2022 @ 14:43

Mover: Cllr Aspinell

Seconder: Cllr Cloke

This Council resolves to investigate the possibility of twinning with a town of comparable size in Ukraine. 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.

Cllr Aspinell and Cllr Cloke **DEFERRED** this motion.

Motion 7 – Received on 14th October 2022 @ 15:39

Mover: Cllr Hossack

Seconder: Cllr Poppy

This council recognises the growing importance of social prescribing and asks officers to see how we can as a council develop this further with our partners and 3rd sector organisations.

Without debate, a vote on the motion was taken by a show of hands and the motion was **CARRIED**.

Motion 8 – 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.

Cllr Lewis and Cllr Kendall **DEFERRED** this motion.

Motion 9 – 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 offgrid, are built to a sustainable standard that ensures no dependency on off-grid fossilfuel energy.

Cllr Naylor and Cllr Laplain **DEFERRED** this motion.

The meeting closed at 10.23pm.

225. Urgent Business

There were no items of urgent business.

Agenda Item 6

Committee: Ordinary Council	Date: 7 th December 2022
Subject: Chairs' reports and Members' Written Questions	Wards Affected: All
Report of: Claire Mayhew – Corporate Manager (Democratic Services)	Public
Report Author/s: Name: Claire Mayhew - Corporate Manager (Director Services) Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Information

In accordance with the Council's Constitution a brief written report by each committee Chair covering their area of responsibility is provided for Members' information at each Ordinary Council meeting.

Any member may ask a Chair written or oral questions on:

- (a) any matter included in a Chair's written report; or
- (b) any matter in relation to which the Council has powers or duties or which affects the Council's area and which falls within the area of responsibility of the Chair's committee.
- (c) No question should be put to the Chair if it relates exclusively to a ward, operational or resident matter that could have otherwise been resolved by reasonable use of the casework system.

The period allowed for Chairs' reports, written and oral questions and answers will not exceed 60 minutes without the leave of the Mayor and such leave will only be granted in exceptional circumstances.

Appendices to this report

Chairs Reports for:

Appendix A: Audit and Scrutiny Committee

Appendix B: Planning & Licensing Committee - to follow

Appendix C: Policy, Resources & Economic Development – to follow

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Appendix A

Committee(s): Ordinary Council	Date: 7 th December 2022
Subject: Chairs Report for Audit and Scrutiny Committee	Wards Affected: All
Committee Chair: Cllr Thomas Heard	
	For Information

Audit & Scrutiny updates since the last Ordinary Council on 2nd November 2022

Internal Audit Plan 2022/23

The report covered the Internal Audit Plan for 2022/23. The report was noted but was before members to approve the Internal Audit Plan for 2022/23. Members approved the Internal Audit Plan 2022/23 and gave Delegated authority to s151 Officer to amend the plan in year as necessary to deliver the contract.

Internal Audit Progress Report 2022/23

The report informed the Audit and Scrutiny Committee of progress made against the 2022/23 internal audit plan. No reports have been finalised since the last Committee.

Risk Management

The report updated members of the Audit & Scrutiny Committee on the status of the Council's 2022/2023 Strategic Risk Register and high-level operational risks. As a result of the current risk review the risk scores have remained the same from the previous review in August. Of the high-level operational risks, one risk score has been increased, and the other risks scores have remained the same.

Scrutiny Work Programme 2022/23

The Committee considered and agreed the 2022/23 Scrutiny work programme as set out in report with any additions agreed by the committee at the meeting.

Brentwood Leisure Trust

At the 24th November 2020 Audit and Scrutiny Committee, Cllr Dr Barrett forwarded a recommendation for the scrutiny work programme to include a review of the historic relationship between Brentwood Borough Council and the Brentwood Leisure Trust (BLT). Subsequently this was agreed at the 26th January 2021 Audit and Scrutiny Committee (Min.670 refers) and added to the scrutiny work programme with the process to be dealt with by way of a cross party working group. A report set out the conclusions and recommendations of the cross-working party working group following a review of all the information available to the group.

The Committee approved the recommendations:

The Council should continue with the positive progress made in making sure that record keeping, and governance of partnership/contractual arrangements are robust and transparent and regular reports are made to the appropriate committee.

Regular update reports of major partnership/contractual arrangements should be included within the A&S Committee annual workplan.

Agenda Item 7

Committee: Ordinary Council	Date: 7 th December 2022
Subject: Public Questions	Wards Affected: All
Report of: Claire Mayhew – Corporate Manager (Democratic Services)	Public
Report Author/s: 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 clear 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 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?

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 re-assess the ineffective CCTV and tackle the continued anti-social behaviour in the play area in the evenings?

Committee(s): Ordinary Council	Date: 7 December 2022
Subject: Designation of Statutory Roles – Monitoring Officer and Section 151 Officer	Wards Affected: All
Report of: Jonathan Stephenson, Chief Executive	Public
Report Author: Name: Emily Yule, Strategic Director (Deputy Chief Executive) Telephone: 07543 500908 E-mail: Emily.Yule@brentwood.rochford.gov.uk	For Decision

Summary

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 Monitoring Officer and Section 151 Officer and this report sets out proposed designations.

Members are asked to:

- 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.**

Main Report

1. Introduction and Background

The Council is looking to recruit to the permanent roles of Director of People and Governance, Director of Resources and Director of Housing.

Andrew Hunkin has been appointed as Director of People and Governance and Tim Willis as Director of Resources – both on an interim basis.

At the Ordinary Council meeting on 27 July 2022, the appointment of Steve Summers as Interim Monitoring Officer was confirmed with effect from 1 August 2022.

The current Section 151 Officer role was designated to Jacqueline Van Mellaerts (Corporate Director of Finance & Resources) who left the organisation at the end of November.

2. Issue, Options and Analysis of Options

It is recommended that Andrew Hunkin is designated as the Monitoring Officer for the Council.

It is recommended that Tim Willis is designated as the Section 151 Officer for the Council.

Under the unified leadership team with Rochford District Council, both statutory roles will each be a shared position between the two councils.

3. 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.

4. Consultation

Group Leaders have been consulted on behalf of all Members.

5. References to Corporate Plan

Delivering an efficient and effective council requires suitably qualified statutory officers.

6. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Director of Corporate Resources

Tel & Email: 01277 312500

jacqueline.vanmellaerts@brentwood.gov.uk

The appointments of these officers will be forecasted within the Council's budget monitoring system for 2022/23, and will be funded from budgeted vacancies within the Council's Corporate Leadership Team structure.

Legal Implications

Name & Title: Steve Summers, Strategic Director and Interim Monitoring Officer

Tel & Email: 01277 312500

steve.summers@brentwood.rochford.gov.uk

The recommendations within this report are lawful and within the Council's powers and duties. The Council has statutory obligations within an existing legal framework for the appointment of Council officers to a number of specified posts. The recommendations will support the Council in securing compliance with those statutory duties and the effective management of the Council's functions.

The Council has statutory duties under Section 5 of the Local Government and Housing Act 1989, to appoint an officer as Monitoring Officer.

The Council has statutory duties under Section 151 of the Local Government Act 1972 to appoint an officer as Section 151 Officer.

The appointment of these statutory roles may only be made by full Council.

Other Implications

None.

7. Background Papers

None.

8. Appendices to this report

None.

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Committee: Ordinary Council	Date: 7 December 2022
Subject: Harmonisation of pay, terms and conditions for the #One Team Partnership	Wards Affected: All
Report of: Jonathan Stephenson – Chief Executive of Brentwood Borough Council & Rochford District Council	Public
Report Author/s: Name: Nichola Mann – Human Resources Manager Telephone: 01277 312500 E-mail: Nichola.mann@brentwood.gov.uk	For Decision

Summary

This report sets 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.

Recommendation(s)

Members are asked to:

- 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.

Main Report

Introduction and Background

1. At an Extraordinary meeting on 26 January 2022 (the “January Meeting”) the Council resolved to agree the Strategic Partnership between the Council and Rochford District Council (RDC) and appointed Jonathan Stephenson as the Joint Chief Executive for both Councils and the Council’s Head of Paid Service with effect from 1 February 2022. This included the decision to work on and complete a Section 113 agreement, which is now in place.
2. In order to support the partnership, the creation of a single unified Senior Leadership Team pay structure, as well as terms and conditions for Tier 1 to Tier 3, were agreed and a new Pay Policy Statement was adopted by this Council on the 22 June 2022.

3. It was further agreed that further harmonisation from tier 4 and below would be required to ensure the success of the partnership.

Issue, Options and Analysis of Options

4. Brentwood Borough Council is not part of the NJC or the JNC, pay is set locally. Rochford District Council is part of the NJC and the JNC, pay is set nationally up to PO20 and locally above this. This therefore creates disparity of pay, as well as terms and conditions across the partnership.
5. Work has been undertaken to identify these differences and to model a single unified pay structure, as well as terms and conditions so these can be aligned, in order to continue the #One Team Transformation project from Tier 4 and below.
6. It is proposed that phase one of the service reviews are to commence towards the end of 2022 and in order for any reviews to be undertaken, we need to have agreed a pay structure, as well as terms and conditions.

Pay Structure

7. A proposed #One Team pay structure can be found at Appendix A.
8. The pay structure is based on the NJC pay scales that were agreed on the 1 November 2022. It should be noted that this report does not seek agreement for Brentwood Borough Council to move to NJC pay scales but rather to make a commitment to align the pay scales at a local level, so as not to create disparity across the partnership.
9. #One Team pay scales, have been modelled to take into account both Brentwood Borough Council and Rochford District Council current pay scales.
10. It is proposed that for the purposes of evaluating job roles within the partnership this would be undertaken using the NJC job evaluation scheme for Bands 1 to 10. For ELT1 and above the LGA Senior Manager job evaluation scheme has been or would be used (T1-3 have already been evaluated in line with this scheme).
11. It will be hard to predict where roles will sit within the new grades until the job evaluation process commences, however it is not anticipated that this will have a negative impact on employees.
12. Equally, it will also be hard to undertake financial modelling to ascertain the impact on the budget, for the same reasons.

13. However, to support the transformation programme in meeting its objectives, all directorates will conduct shared services reviews using a set of design principles, one of them being, different for less.
14. With this in mind, with an agreed single unified pay structure, the reviews will be accurate in terms of the financial implications when it comes to costings of the proposed structure.
15. This approach has already been applied to the Tier 1 to Tier 3 reviews, with a set of unified pay scales, as well as terms and conditions. Please see below a breakdown to demonstrate how the partnership is delivering savings for the council in respect of the Corporate Leadership Team.

2023/24 CLT Original Base Budget	£1,079,150
2023/24 CLT Revised Budget	£ 887,040
Saving 2023/24	£ 192,110
Strategic Director	£ 105,970
Total Saving 2024/25	£ 298,080

Terms and Conditions

16. A table setting out the terms and conditions, both contractual and non-contractual for both Brentwood Borough Council and Rochford District Council, as well as the proposed #One Team terms and conditions can be found at Appendix B.
17. It is proposed to align contractual terms and conditions, with the main changes being annual leave and reviewing a number of key policies so that they align across the partnership. Any changes would be subject to formal consultation with Unison and/or employees.
18. It is proposed to review non contractual terms and conditions, looking at how we can align employee reward and recognition. Any changes would be subject to formal consultation with Unison and/or employees.

Analysis of Options

19. The Council could continue with its current pay structure as well as terms and conditions for roles that sit at tier 4 and below, however it is expected there will be multiple negative impacts:
 - a) Disparity between the Council employees and Rochford District Council employees, in terms of pay, as well as terms and conditions.

- b) Potential Equal Pay claims.
 - c) National Living Wage inconsistencies at the lower end of the pay structure.
 - d) Staff retention and recruitment.
 - e) Staff morale.
20. By creating a single unified pay structure, as well as terms and conditions will create parity and equality for employees, for the strategic partnership between Brentwood and Rochford. It is also hoped that the single unified pay structure can provide us with the opportunity to assess hard to fill roles against current market rates within the sector.
21. Brentwood wants to create parity as well as ensure we continue to recruit and retain employees and maintain staff morale across the organisation.

Reasons for Recommendation

22. 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.

Consultation

23. Staff have been advised that a unified pay structure as well as terms and conditions are being explored. If the decisions were to be approved consultation would need to be undertaken with Unison and/or employees, this is likely to be predominantly per service review, rather than organisationally, unless it is more prudent to consult more widely on certain changes that may impact all employees, for example, policy changes.

References to Corporate Strategy

24. To develop an empowered culture within the organisation and motivated workforce.

Implications

Financial Implications

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

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

25. There will be financial implications if the recommendations in the report are approved. However, at the time of writing this report, it is not possible to quantify exactly what these will be, as it is hard to predict where roles will sit within the new grades until the job evaluation process commences.

26. It is anticipated that once consultations have been completed with Unison and/or employees, the pay scales will not come into effect until each service review has been undertaken in line with the Rochford and Brentwood partnership governance processes. Each business case will be analysed alongside the new joint pay scales and financial implications will be determined and reported accordingly.

Legal Implications

Name & Title: Steve Summers, Strategic Director and Monitoring Officer

Tel & Email: 01277 312500/steve.summers@brentwood.gov.uk

27. Any changes to pay and Terms of Conditions will require statutory consultation in line with relevant legislation.

Economic Implications

Name/Title: Phil Drane, Director of Place

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

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

Equality and Diversity Implications

Name/Title: Kim Anderson, Corporate Manager (Communities, Leisure & Health)

Tel/Email: 01277 312500/kim.anderson@brentwood.gov.uk

29. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c) Foster good relations between people who share a protected characteristic and those who do not include tackling prejudice and promoting understanding.

30. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil

partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

31. The proposals in this report will not have a disproportionate adverse impact on any people with a particular characteristic.

Background Papers

- None

Appendices to this report

- Appendix A: #One Team Pay Scales
- Appendix B: #One Team Terms and Conditions

BRENTWOOD BOROUGH COUNCIL and ROCHFORD DISTRICT COUNCIL

#One Team Pay Scales

Band 1

SCP	Annual Salary	Hourly Rate
1	20,258	10.50
2	20,441	10.60

Band 2

SCP	Annual Salary	Hourly Rate
3	20,812	10.79
4	21,189	10.98
5	21,575	11.18

Band 3

SCP	Annual Salary	Hourly Rate
6	21,968	11.39
7	22,369	11.59
8	22,777	11.81

Band 4

SCP	Annual Salary	Hourly Rate
9	23,194	12.02
10	23,620	12.24
11	24,054	12.47
12	24,496	12.70
13	24,948	12.93

Band 5

SCP	Annual Salary	Hourly Rate
14	25,409	13.17
15	25,878	13.41
16	26,357	13.66
17	26,845	13.91
18	27,344	14.17

Band 6

SCP	Annual Salary	Hourly Rate
19	27,852	14.44
20	28,371	14.71
21	28,900	14.98
22	29,439	15.26
23	30,151	15.63

Appendix A

Band 7

SCP	Annual Salary	Hourly Rate
24	31,099	16.12
25	32,020	16.60
26	32,909	17.06
27	33,820	17.53
28	34,723	18.00

Band 8

SCP	Annual Salary	Hourly Rate
29	35,411	18.35
30	36,298	18.81
31	37,261	19.31
32	38,296	19.85
33	39,493	20.47

Band 9

SCP	Annual Salary	Hourly Rate
34	40,478	20.98
35	41,496	21.51
36	42,503	22.03
37	43,516	22.56
38	44,539	23.09

Band 10

SCP	Annual Salary	Hourly Rate
39	45,495	23.58
40	46,549	24.13
41	47,573	24.66
42	48,587	25.18
43	49,590	25.70

SM1

SCP	Annual Salary	Hourly Rate
1	51,925	26.91
2	56,925	29.50
3	60,925	31.58

SM2

SCP	Annual Salary	Hourly Rate
1	61,925	32.09
2	66,925	34.69
3	70,925	36.76

Appendix A

Director Grade

SCP	Annual Salary	Hourly Rate
1	81,925	42.46
2	86,925	45.05
3	91,925	47.65

Strategic Director Grade

SCP	Annual Salary	Hourly Rate
1	101,925	52.83
2	106,925	55.42
3	111,925	58.01

Chief Executive Grade

SCP	Annual Salary	Hourly Rate
1	140,000	72.57
2	150,000	77.75
3	160,000	82.94

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Appendix 2

Comparison of RDC and BBC terms and conditions with #One Team Proposal

Item	RDC	BBC	Variance	#One Team Proposal
Full-Time Hours	37 hours	37 hours	No	
Job Evaluation Scheme	Whitely Council - with the use of an external evaluator on an “as and when” basis.	JE completed internally. LGA Senior Managers NJC HAY	Yes	NJC from Band 1 to 10 LGA Senior Managers ELT1 to CEO
Standard working pattern	For a full-time employee: Monday – Thursday 7 ½ hrs Friday 7 hrs	For a full-time employee: Monday – Thursday 7 ½ hrs Friday 7 hrs	No	
Pay negotiation machinery	NJC (Green Book)	Local pay negotiation Incremental progression is based on satisfactory performance. Colleagues who have received a formal written warning for misconduct and/or capability are excluded from annual incremental progression for that year.	Yes	For #One Team pay scales to be agreed that will follow NJC pay awards going forward and that BBC if to stay local pay negotiations, then to make a commitment to follow the NJC arrangements
Pension	LGPS	LGPS	No	
Probation arrangements	6 months, on successful completion there is a one increment award (unless appointed at the top of scale)	6 months, on successful completion there could be a one increment award if they started between 2 October and 1 April, if not would be following 1 April (unless appointed at the top of the grade)	Yes	It is proposed that a one increment award is applicable on successful probation from start date (unless at top of grade)
Market premia	£5k pa, deductible for pension, PAYE and NI. Non-contractual, reviewed annually* Currently limited to Planning and Building Control posts.	No current arrangements in place, although there is a policy.	Yes	This is to be reviewed as part of the #One Team project to align. Create a Market Supplement Policy applicable to the partnership

Appendix 2

Overtime Payments	For employees below scp22 overtime where approved would be at time and half. For employees scp 22 – 28 overtime where approved would be plain time. For employees scp29 and above overtime is not payable unless exceptional circumstances.	For employees on Band A to G overtime where approved would be payable. Mon – Sat time and half/Sun or PHs double time For employees on Band H, overtime should only be payable if formally authorised. Mon – Sat time and half/Sun or PHs double time For employees Band I and above overtime is not payable unless exceptional circumstances.	Yes	To undertake a review and align appropriate policy to BBC and RDC
Car allowance and mileage rates	Essential Mileage User allowance where applicable, Mileage rates and CO2 bands are as per Green Book (HMRC guidelines)	Essential Mileage User allowance where applicable, Mileage rates and CO2 bands are as per HMRC guidelines	No but will need to review policy	To review the policy in terms of working across the partnership to define what can/can't be claimed for.
Acting up arrangements	Payable after 5 weeks acting-up. Paid the difference in the salary of the acting-up role in addition to substantive salary. This may be a percentage subject to whether the employee is partially or fully covering the duties of the acting-up role.	Payable after 4 weeks or more. Paid up to a maximum of 5 incremental points from the employees substantive pay point (discretion for more from CEO), based on a percentage of the duties of the role being covered. Payable for no more than 12 months.	Yes	To undertake a review and align appropriate policy to BBC and RDC
Subsistence allowances	In line with NJC Green Book	Hotel £120 per night in London, £80 elsewhere. Allowances for food etc. as detailed in the Policy.	Yes	To undertake a review and align appropriate allowances to BBC and RDC
Other allowances	Opening/Closing Evening attendance Covid Test and Trace Covid (other) EH Night-Time economy Fire Marshall First Aid	First Aid Out of Hours/standby	Yes	To undertake a review and align appropriate allowances to BBC and RDC

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	Out of hours On Call							
Other awards Non contractual	Attendance award, calculated twice yearly for the period April to September and October to March. Staff who achieve full attendance (there are no discretions applied for EqA) receive either a £50 payment (Grossed up) or they can claim a ½ day uplift to their annual leave entitlement. Long service award, £100 for each 10 year period.			Long Service Awards 10 years – certificate 20 years – personalised mug and certificate 30 years – personalised crystal glass and certificate 40 years – Certificate, personalised salvers and £200 for a gift to be purchased by BBC			Yes	It is proposed to remove the attendance allowance at RDC. A review across both RDC and BBC will take place as to how long service is awarded.
Sick pay entitlement	Length of Service	Full pay entitlement	Half pay entitlement	Length of service	Full pay entitlement	Half pay entitlement	No	
	<12 months	1 month	2 months (after 4 months service)	<12 months	1 month	2 months (after 4 months service)		
	During 2 nd year	2 months	2 months	During 2 nd year	2 months	2 months		
	During 3 rd year	4 months	4 months	During 3 rd year	4 months	4 months		
	During 4 th and 5 th year	5 months	5 months	During 4 th and 5 th year	5 months	5 months		
	>5 years	6 months	6 months	>5 years	6 months	6 months		

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Annual leave year	April to March			April to March			No	
Holiday entitlement	SCP	After 1 month service up to 5 years' service	> 5 years' service +	Grade	<5 years service	>5 years service	Yes	To align the leave so there is no disadvantage. RDC leave will increase in the main but it is proposed to remove the discretionary day therefore adding to the leave entitlement. NJC has also committed to an additional days leave in April 2023, so this will need to be factored in.
	1 - 22	22	27	A to C	23	27		
	23 -34	24	29	D & E	25	28		
	35 -46	25	30	F to L	27	30		
	AD, SD, MD	25	30	M and above	33	35		
Holiday carry over provision	Equivalent to one week's annual leave entitlement. Discretions are allowed with AD sign-off. Carry over to be used by the end of May (June for 21/22 carry over).			Maximum of 5 days to be taken by the end of June.			Yes	Agree to align for consistency to May
Maternity provision	26 weeks OML + 26 weeks AML. CMP @ 6 weeks 90% of average weekly earnings. 12 weeks as lower rate SMP + half pay. 21 weeks at lower rate SMP. 10 x KIT days Colleagues are given the option to consolidate payments and/or average the payments out across the period of maternity leave.			26 weeks OML + 26 weeks AML. CMP @ 6 weeks 90% of average weekly earnings. 12 weeks as lower rate SMP + half pay. 21 weeks at lower rate SMP. 10 x KIT days No provision given to colleagues to vary the payments as per RDC.			No	

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Paternity provision	Unpaid time off for up to two ante-natal appointments. Max two weeks leave. Entitled to SPP. Paid maternity support leave up to five days at or around the time of birth.	Unpaid time off for up to two ante-natal appointments. Max two weeks leave. Entitled to SPP. Paid maternity support leave up to five days at or around the time of birth.	No	
Compassionate leave arrangements	One weeks paid leave, usually extended by AD discretion.	One weeks paid leave. Can be extended at discretion of manager	No	
Performance management arrangements	Covered under the Performance Management Policy and protocols but the implementation is at best “variable” by service area.	Have not completed appraisals since 2020	Yes	To undertake a review and align appropriate policy to BBC and RDC
Disciplinary arrangements	Standard ACAS compliant. Option for an “agreed outcome” as an alternative to a formal hearing (not in matters relating to Gross Misconduct).	Standard ACAS compliant.	Yes	To undertake a review and align appropriate policy to BBC and RDC
Grievance arrangements	Standard ACAS compliant.	Standard ACAS compliant.	No but policy needs reviewing	To undertake a review and align appropriate policy to BBC and RDC
Organisational Change including pay protection	Standard ACAS compliant, pay protection if applicable is 12 months 100% protection and 6 months 50% protection. Also if applicable protects essential car user allowance and annual leave for the same period	Standard ACAS compliant, pay protection if applicable is 12 months 100% protection	No	To undertake a review and align appropriate policy to BBC and RDC
Redundancy provision	One week’s pay based on contractual pay. Service Max’s out	One week’s pay based on contractual pay. Service Max’s out at 20 years.	No	

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	at 20 years. Ready reckoner used to calculate redundancy pay.	Ready reckoner used to calculate redundancy pay.		
Notice periods	<p>From Employee Standard is one calendar month, expect for: Probationers - One week Managers and Key posts* - Two calendar months Leadership Team - Three calendar months.</p> <p>To Employee Probationers - One week Up to four years' service - One calendar month Five years of more service - One week for each year of continuous service up to a maximum of 12 weeks.</p>	<p>From Employee Probationers - One week Up to and including Grade E - One month Grade F to J - Two months Grade K > - Three months</p> <p>To Employee Probationers - One week One month or more but less than two years' service - One week Two years of more but less than 12 years' service - 1 week for each year of service Twelve years or more - 12 weeks</p>	Broadly comparable	Will align notice periods with proposed pay scales for #One Team
Staff recognition	Golden Ticket – reward for staff who go the extra mile. The ticket can be exchanged for 2 hours flexi* of a £10 Amazon voucher. Nominations by a manager of LT member.	BBC held staff awards in October 2021. Can request an honorarium for staff going extra mile	Yes	Staff recognition to be reviewed across both RDC and BBC
EAP	CareFirst	Vivup	Yes	This will be reviewed as contracts are up for renewal
Staff discounts	Sodexo, via an on-line platform offering a wide variety of discounts and benefits.	Vivup	Yes	This will be reviewed as contracts are up for renewal
Salary sacrifice schemes	Tusker (Car Leasing)	Tusker Cycle to Work Electrical items via Vivup Will be introducing AVCs also	Yes	Will look to align salary sacrifice across BBC and RDC were applicable

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Car loan facility	Not available	Available subject to scheme T&C's and at the Chief Exec's. discretion.	Yes	Look to remove this as not utilised.
Car Parking	Free use of the Freight House Car Park, limited other parking at the South Street office.	Free use of Town Hall car park	No	
Professional fees	Paid for one approved and professional institute.	Paid for one approved and professional institute.	No	
Relocation package	Up to £5K with finance sign-off.	No policy	Yes	To undertake a review and align appropriate policy to BBC and RDC
TU recognition	Unison – currently there are no local representatives.	Unison – currently 2x local representatives	No	
Season ticket loan	Not available	Subject to scheme T&C's.	Yes	Look to remove this as not utilised.

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Committee: Ordinary Council	Date: 7 th December 2022
Subject: Notices of Motion	Wards Affected: All
Report of: Claire Mayhew – Corporate Manager (Democratic Services) & Deputy Monitoring Officer	Public
Report Author/s: Name: Claire Mayhew – Corporate Manager (Democratic Services) & Deputy Monitoring Officer Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Decision

Summary

Seven Notices of Motion were deferred from Ordinary council on 2nd November 2022 and 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.

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

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 N 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.

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.

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

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

Mover: Cllr Aspinell Second: 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.

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

Motion 5 – Received on 14th October 2022 @ 14:43

Mover: Cllr Aspinell Second: Cllr Cloke

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.

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

Motion 6 – Received on 14th October 2022 @ 15:53

Mover: Cllr Lewis Second: 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.

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

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

Mover: Cllr Naylor Secoder: 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.

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Members Interests

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

- **What are pecuniary interests?**

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

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

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

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

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

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

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

- **Other Pecuniary Interests**

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

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

- **Non-Pecuniary Interests**

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

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

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

Ordinary Council Terms of Reference

General Powers of Council

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

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

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

Only the Council will exercise the following functions:-

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

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