



Minutes

Ordinary Council Wednesday, 1st March, 2023

Attendance

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

Apologies

Cllr S Cloke	Cllr Tanner
Cllr Lewis	Cllr Wiles
Cllr Mrs Murphy	

Officers Present

Phoebe Barnes	- Director - Assets & Investments
Sarah Bennett	- Director - Digital & Customer Engagement
Zoey Foakes	- Governance & Member Support Officer
Marcus Hotten	- Director - Environment
Andrew Hunkin	- Interim Director - People & Governance
Claire Mayhew	- Corporate Manager (Democratic Services) and Deputy Monitoring Officer
Tim Willis	- Interim Director - Resources
Emily Yule	- Strategic Director

LIVE BROADCAST

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

363. Apologies for Absence

Apologies were received from Cllrs: Cloke, Lewis, Murphy, Tanner and Wiles.

364. Declarations of Interest

There were no declarations of interest at this stage.

365. Vary the order of the Agenda

The Mayor, Cllr Francois **MOVED** and Deputy Mayor, Cllr Barrett **SECONDED** to vary the order of the agenda to take Item 4 Urgent Business ahead of Item 3. This was **AGREED**.

366. Urgent Business

Due to the recent resignation of the Ward Member for South Weald and a Ward Member from Brentwood South becoming an Independent Member (non-aligned), the Council is required to approve an amended allocation of seats on Committees.

The report and appendices are appended to these minutes.

Cllr Hossack **MOVED** and Cllr Aspinell **SECONDED** the recommendation in the report. A vote was taken and it was **RESOLVED UNANIMOUSLY**.

Members are asked to:

Approve the allocation of seats as set out in Appendix A.

Reasons for Recommendation

The Council is required to make appointments to those Committees for the effective discharge of its functions.

367. Budget 2023/24 and Medium Term Financial Strategy

The report and appendices set out all the relevant information in support of the Council's Budget for General Fund services and Council Tax for 2023/24, together with financial forecast information through to 2025/26. Also included was information on the Housing Revenue Account (HRA) budget for 2023/24 and the Capital Programme 2023/24 to 2025/26.

- (i) Appendix A - The General Fund budget proposals for 2023/24 to 2025/26.
- (ii) Appendix B - The Housing Revenue Account (HRA) budget proposals for 2023/24 onwards.
- (iii) Appendix C - The Capital and Investment Strategy 2023/24.
- (iv) Appendix D – Fees & Charges Schedule 2023/24.
- (v) Appendix E - Pay Policy Statement.
- (vi) Appendix F - Section 151 Officer's Assurance Statement and useful information.
- (vii) Appendix G - Corporate Strategy Budget Summary.

The Budget was considered by the Policy, Resources and Economic Development Committee on 8 February 2023 and has been recommended to Ordinary Council for consideration and approval.

The report summarised the detailed service budgets, together with known adjustments including the impact of the provisional central government grant funding.

The key elements of the proposed budget were:

General Fund

- 1) A proposed 3% increase in Council Tax for 2023/24 for Brentwood Borough Council services.
- 2) Earmarked Reserves to set aside appropriate balances to mitigate future financial risk and build up in borough regeneration.
- 3) Future uncertainty of Local Government Financing.

Housing Revenue Account

- 1) For 2023/24 a budget that delivers a surplus of £26k.
- 2) Proposed increase in rents of 7% per annum.
- 3) Continued investment in the delivery of Decent Homes and development of Housing within the Borough.
- 4) Significant investment in the Strategic Housing Delivery Programme ensuring the 30-year business plan is sustainable.

Capital

- 1) Total capital investment of £36.3 million (General Fund) and £22.0 million (HRA) in 2023/24.
- 2) Subsequent investment of £20.2 million (General Fund) and £50.3 million (HRA) from 2024 to 2026.

Member's thanked the Finance Team for the work on the Budget.

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

After a full discussion a recorded vote was taken in accordance with Local Authorities (Standing Orders) (England)(Amendment) Regulations 2014).

Members voted as follows:

FOR: Cllrs Francois, Barber, Bridge, Mrs Gelderbloem, Heard, Hirst, Mrs Hones, Hossack, Jakobsson, Parker, Mrs Pearson, Poppy, Reed, Russell, Slade, Wagland and White (17)

AGAINST: Cllrs Aspinell, Barrett, Dr Barrett, M Cuthbert, Mrs N Cuthbert, Mrs Davies, Fryd, Fulcher, Haigh, Kendall, Laplain, Mynott, Naylor and Sankey (14)

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

R1. Approve the General Fund Budget 2023/24 and Medium-Term Financial Strategy as set out in Appendix A.

R2. Approve a proposed Council Tax increase of 3% for 2023/24, the charge of Band D property increases to £204.58 per annum for Brentwood Council services only.

R3. Approve the HRA budget 2023/24 including the 30-year HRA Business Plan within Appendix B.

R4. Approve a proposed increase to rents of 7% for 2023/24.

R5. Approve the Capital and Investment Strategy 2023/24 in Appendix C.

R6. Approve the Fees & Charges Schedule in Appendix D.

R7. Approve the Pay Policy Statement in Appendix E.

R8. To note the Section 151 Officers Assurance Statement in Appendix F.

Reasons for Recommendation

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

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

The meeting concluded at 8.00pm

Minute Item 366

Committee(s): Ordinary Council	Date: 1 st March 2023
Subject: Political Balance - Allocation of Committee Seats	Wards Affected: All
Report of: Andrew Hunkin – Interim Director of People & Governance & Monitoring Officer	Public
Report Author: Name: Claire Mayhew, Corporate Manager (Democratic Services) & Deputy Monitoring Officer Telephone: 01277 312741 E-mail: claire.mayhew@brentwood.gov.uk	For Decision

Summary

Due to the recent resignation of the Ward Member for South Weald and a Ward Member from Brentwood South becoming an Independent Member (non-aligned), the Council is required to approve an amended allocation of seats on Committees.

Recommendation(s)

Members are asked to:

R1. Approve the allocation of seats as set out in Appendix A.

Main Report

Introduction and Background

1. Political Groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 as amended when two or more Councillors duly notify the Chief Executive as Proper Officer of their wish to be treated as a political group.
2. Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the allocation of seats on Committees of the Council between the political groups.

3. The following statutory principles apply to the allocation of seats:
 - a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
 - b) That the majority of seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - c) That subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
4. The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.

Political proportionality

5. The political balance of the Council is calculated using the formula below (to two decimal places):

$$\frac{\text{Number of Group Members} \times 100}{36}$$

6. The political balance of the Council is set out in Appendix A.
7. To calculate political proportionality, the Council must have agreed the number of seats on each Committee and the total number of seats available on all Committees.
8. Councillors that are not members of political groups have no entitlement to an allocation of seats on Committees. Political groups are entitled to their proportion of seats and once their entitlement has been reached, the remaining seats may be filled by Councillors not belonging to a political group. Such Councillors are called 'non-aligned'.

Issue, Options and Analysis of Options

9. The number of seats on Committees that will be allocated amongst the political groups represented on the Council is shown in Appendix A.
10. Each of the political groups are entitled to the specified number of seats in Appendix A. This is based on their percentage representation on the Council as a whole.
11. The calculation to determine the entitlement of political groups to seats on Committees is as follows:

$$\frac{\text{\% from table 1 (Appendix A)}}{100} \times \text{Number of Committee seats available}$$

12. The strict entitlement to seats is shown in Appendix A.
13. Each of the political groups are only entitled to their proportion of seats and once this entitlement has been reached, any remaining seats may then be filled by those Councillors not belonging to a political group. Councillors who are not members of a political group have no legal entitlement to an allocation of seats on a committee. However, in the spirit of the Act they should be given their fair representation.
14. Appendix A shows a rounded allocation of seats to each political group. This is then manually adjusted to ensure that the number of seats allocated to a particular political group matches and does not exceed their entitlement.
15. Appendix B shows the revised nominations on the Committees of the Council.

Reasons for Recommendation

16. The Council is required to make appointments to those Committees for the effective discharge of its functions.

Consultation

17. Group Leaders have been consulted.

References to Corporate Plan

18. The delivery of the Corporate Plan will be enabled by the appointment of the Committees of the Council to discharge its functions.

Implications

Financial Implications

Name/Title: Tim Willis, Interim Director of Resources (S151)

Tel/Email: 01277 312500/tim.willis@brentwood.rochford.gov.uk

22. The cost of servicing the governance arrangements at the Council will be met from existing resources within the Council's Medium Term Financial Plan 2022/2023. The cost of servicing committees will be met through existing budgets.

Legal Implications

Name & Title: Andrew Hunkin, Interim Director of People & Governance) and Monitoring Officer

Tel & Email: 01277 312500/andrew.hunkin@brentwood.rochford.gov.uk

23. The Council's Constitution provides that the Annual Meeting will note the allocation of seats on committees to members of political groups and to members who are not in any political group, appoint members to those allocated seats in accordance with nominations from the political group leaders and to the remaining committee seats from among those members who are not in any political group.

24. The Local Government and Housing Act 1989 established the principle of the proportional allocation of committee and sub-committee seats. The Council is required under the Act to keep under review the representation of the different political groups on bodies appointed by the Council.

Economic Implications

Name/Title: Phil Drane, Director of Place

Tel/Email: 01277 312610/philip.drane@brentwood.rochford.gov.uk

25. There are no direct economic implications

Equality and Diversity Implications

Name/Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health

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

26. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
27. 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
28. Advance equality of opportunity between people who share a protected characteristic and those who do not.
29. Foster good relations between people who share a protected characteristic and those who do not including 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 disproportionately adverse impact on any people with a particular characteristic.

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

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

32. None.

Appendices to this report

Appendix A – Revised Allocation of Seats

Appendix B - Revised nominations on the Committees of the Council.

This page is intentionally left blank

POLITICAL BALANCE

The Political Balance of the Council is:

POLITICAL GROUP	NO. OF MEMBERS	%	POLITICAL GROUP	NO. OF MEMBERS	NO. OF SEATS ON ORDINARY COMMITTEES
CONSERVATIVE	19 =	52.7	CONSERVATIVE	19	35 (34.76)
LIBERAL DEMOCRATS	14 =	38.8	LIBERAL DEMOCRATS	14	26 (25.60)
LABOUR	2 =	5.5	LABOUR	2	4 (3.63)
INDEPENDENT	1	2.7	INDEPENDENT	1	2 (1.78)
TOTALS	36	100			66

Appendix A

Page 358

PROPOSAL:

	A & S C (9)*	C E & E C (9)**	DAC+ (9)	H C ++ (9)	P & LC# (12)	P, R & ED C ## (9)	SAC~ (9)	Total	TOTAL 66
CON	5 (4.74)	5 (4.74)	5 (4.74)	5 (4.74)	6 (6.32)	5 (4.74)	4 (4.74)	35	35 (34.76)
LIB DEM	3 (3.49)	3 (3.49)	3 (3.49)	4 (3.49)	5 (4.65)	4 (3.49)	4 (3.49)	26	26 (25.60)
LAB	1 (0.49)	1 (0.49)	0 (0.49)	0 (0.49)	1 (0.66)	0 (0.49)	1 (0.49)	4	4 (3.63)
IND	0 (0.24)	0 (0.24)	0 (0.24)	0 (0.24)	0 (0.32)	0 (0.24)	0 (0.24)	0	2 (1.78)
	9	9	8	9	12	9	9	65	65.77

This page is intentionally left blank

APPENDIX B

NOMINATIONS TO SEAT ALLOCATIONS & APPOINTMENTS

(Council must give effect to the wishes of the political groups as regards the nominations for the seats allocated to those political groups).

Audit & Scrutiny Committee (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)
Chair*:	Cllr Heard	[REDACTED]	[REDACTED]
Vice-Chair**:	Cllr Hirst	[REDACTED]	[REDACTED]
[REDACTED]	Cllr Bridge	Cllr Fulcher	Cllr G Barrett
[REDACTED]	Cllr Wagland	Cllr Haigh	[REDACTED]
[REDACTED]	Cllr Slade	Cllr Sankey	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Approved Substitute	Cllr Reed	Cllr Cloke	Cllr Dr T Barrett
Approved Substitute	Cllr Jakobsson	Cllr M Cuthbert	[REDACTED]
Approved Substitute		[REDACTED]	[REDACTED]

Community, Environment and Enforcement (9)	Conservative (5)	Liberal Democrat (3)	Labour (1)
Chair*:	Cllr Russell		
Vice-Chair**	Cllr Gelderbloem		
	Cllr Barber	Cllr Naylor	Cllr Dr T Barrett
	Cllr Slade	Cllr Aspinell	
	Cllr Reed	Cllr Laplain	
Approved Substitute:	Cllr White	Cllr Kendall	Cllr G Barrett
Approved Substitute:	Cllr Murphy	Cllr Haigh	
Approved Substitute	Cllr Wagland		

Dismissals Appeal Committee (9)	Conservative (4)	Liberal Democrat (4)	Labour (0)
Chair*:	Cllr Hossack		
Vice-Chair**:	Cllr Poppy		
	Cllr Jakobsson	Cllr Aspinell	
	Cllr Gelderbloem	Cllr Mynott	
		Cllr M Cuthbert	
		Cllr Davies	
Approved Substitute:	Cllr Bridge	Cllr N Cuthbert	
Approved Substitute:	Cllr Hirst	Cllr Haigh	
Approved Substitute:	Cllr Wagland		

Housing Committee (9)	Conservative (5)	Liberal Democrat (4)	Labour (0)
Chair:	Cllr White		
Vice-Chair:	Cllr Pearson		
	Cllr Slade	Cllr Davies	
	Cllr Poppy	Cllr Cloke	
	Cllr Hones	Cllr Kendall	
		Cllr N Cuthbert	
Approved Substitute:	Cllr Murphy	Cllr Lewis	
Approved Substitute:	Cllr Hossack	Cllr Fryd	
Approved Substitute:			

Planning & Licensing Committee (12)	Conservative (6)	Liberal Democrat (5)	Labour (1)
Chair*:	Cllr Tanner		
Vice-Chair**:	Cllr Barber		
	Cllr Murphy	Cllr Mynott	Cllr Dr T Barrett
	Cllr Jakobsson	Cllr Fryd	
	Cllr Gelderbloem	Cllr M Cuthbert	
	Cllr Parker	Cllr Laplain	
		Cllr Sankey	
Approved Substitute:	Cllr Hones	Cllr N Cuthbert	Cllr G Barrett
Approved Substitute:	Cllr Heard	Cllr V Davies	
Approved Substitute:	Cllr Pearson		

Policy, Resources and Economic Development Committee (9)	Conservative (5)	Liberal Democrat (4)	Labour (0)
Chair*:	Cllr Hossack	[REDACTED]	[REDACTED]
Vice-Chair**:	Cllr Poppy	[REDACTED]	[REDACTED]
[REDACTED]	Cllr White	Cllr Lewis	[REDACTED]
[REDACTED]	Cllr Russell	Cllr Mynott	[REDACTED]
[REDACTED]	Cllr Pearson	Cllr Kendall	[REDACTED]
[REDACTED]	[REDACTED]	Cllr Naylor	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Approved Substitute:	Cllr Parker	Cllr Aspinell	[REDACTED]
Approved Substitute:	Cllr Gelderbloem	Cllr Fryd	[REDACTED]
Approved Substitute:		[REDACTED]	[REDACTED]

Staff Appointments Committee (9)	Conservative (4)	Liberal Democrat (4)	Labour (1)
Chair*:	Cllr Hossack		
Vice-Chair**:	Cllr Poppy		
	Cllr Gelderbloem	Cllr Cloke	Cllr G Barrett
	Cllr Tanner	Cllr Laplain	
		Cllr Fryd	
		Cllr Sankey	
Approved Substitute:	Cllr Bridge	Cllr Kendall	Cllr Dr T Barrett
Approved Substitute:	Cllr Russell	Cllr Mynott	
Approved Substitute:	Cllr Barber		

This page is intentionally left blank