

Minutes

Ordinary Council Wednesday, 13th December, 2023

Attendance

Cllr Barrett (Mayor)	Cllr Mayo
Cllr Haigh (Deputy Mayor)	Cllr McCheyne
Cllr Aspinell	Cllr Munden
Cllr Barber	Cllr Mrs Murphy
Cllr Dr Barrett	Cllr Mynott
Cllr Bridge	Cllr Naylor
Cllr M Cuthbert	Cllr Parker
Cllr Mrs N Cuthbert	Cllr Poppy
Cllr Mrs Davies	Cllr Mrs Pound
Cllr Mrs Francois	Cllr Reed
Cllr Mrs Fulcher	Cllr Rigby
Cllr Gelderbloem	Cllr Russell
Cllr Gorton	Cllr Sankey
Cllr Hirst	Cllr Slade
Cllr Kendall	Cllr Wagland
Cllr Laplain	Cllr White
Cllr Marsh	Cllr Worsfold

Apologies

Cllr Heard	Cllr Wiles
Cllr Lewis	

Officers Present

Greg Campbell	- Director - Policy and Delivery
Carol Davis	- Electoral Services Officer
Phil Drane	- Director - Place
Zoey Foakes	- Governance & Member Support Officer
Marcus Hotten	- Director - Environment
Nichola Mann	- Acting Joint Director of People & Governance
Claire Mayhew	- Acting Joint Director of People & Governance & Monitoring Officer
Jonathan Stephenson	- Chief Executive
Steve Summers	- Strategic Director
Emily Yule	- Strategic Director
Tim Willis	- Interim Director - Resources

LIVE BROADCAST

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

274. Apologies for Absence

Apologies were received from Cllrs Heard, Lewis and Wiles.

275. Vary the order of the agenda

The Mayor requested to vary the order of the agenda to take Item 14 – Request for Dispensation of Attendance after Item 1 – Apologies for Absence.

The Mayor also requested to vary the order of the agenda to move Item 18 – Joint Venture after Item 15 – Appointment of Strategic Director.

This was AGREED.

276. Request for dispensation for attendance

To advise Members of a request for a dispensation for two members who are currently unable to attend Council meetings due to ill health and ask that Members of the Council endorse the request.

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

R1. That a dispensation is granted to Cllr Andy Wiles for the period 26th June 2023 to 2nd May 2024 for non-attendance of Council meetings due to ill health.

R2. That a dispensation is granted to Cllr Mark Lewis for the period 29th September 2023 to 2nd May 2024 for non-attendance of Council meetings due to ill health.

REASONS FOR RECOMMENDATIONS

Section 85 Local Government Act 1972 provides that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance at any meeting of the authority, they shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.

The report sought the Council's agreement to grant a dispensation for Cllr Wiles and Cllr Lewis who have been unable to attend council meetings on health grounds.

277. Declarations of Interest

Cllr Hirst declared a pecuniary interest in relation to Item 12 – Council Tax Premium and would leave the chamber and not vote on this item.

Cllr Poppy declared a pecuniary interest in relation to Item 12 – Council Tax Premium and would leave the chamber and not vote on this item.

Cllr Marsh declared a pecuniary interest in relation to Item 9 – Pay Award 2023-24 as her husband is a Brentwood Borough Councillor employee. As it was a non voting item she would not be required to leave the Chamber.

278. Mayors Announcements

“May I start by congratulating two Brentwood residents, Alex Gibson and Roy Tyzack on receiving an order of the British Empire (BEM) medal in the Kings Birthday Honours List. Both of them have also been awarded Civic Awards in the past so we know of their contribution to the Borough too.

It was an honour to be part of the Remembrance Day Parade as the Mayor of Brentwood. The event was humbling, and I was a privileged to represent the Borough of Brentwood, joined by the representatives from our local branch of the Royal British Legion, the military and the cadets and organisations.

Leading the parade of almost 600 people to the War Memorial and through the High Street was an occasion I will never forget, and I was proud to be the Mayor of this great Town. The service followed at St Thomas’ Church allowed us to remember and never forget those who have fought and selflessly and gave their lives to our country. Thank you to the organisers, with a personal note of thanks to the Council officers, and all those who supported the event to make it the success it was.

We got into the festive spirits as I turned on the High Streets Christmas Lights at an event in the Baytree Centre – I would like to thank the performers, sponsors and volunteers who helped make this event happen.

I was also pleased to present the winners of my Christmas Card and Poem competition at Larchwood Primary School and Willowbrook Primary School. It was great to meet the well-deserved winners Kendra, Seb and Joshua.

I also had the opportunity to enjoy my Civic Carol Service at St Peters South Weald Church last week. A big thank you to Reverend Dr Adrian McConnaughie, the bellringers, church volunteers and Brentwood residents who joined me. It was a great service surrounded by fellow Mayors and Chairman, Members and those in the community. It was so lovely to be joined by the impressive Church Choir, again by our poem competition winner Kendra and an absolutely brilliant performance by the choir of St Peters School on the evening. A special note of thanks also to Cllr Will Russell, without whom it would not have happened.

Since the last Ordinary Council meeting, I have hosted my first Charity Curry Night and Charity Quiz night raising money for my chosen charities, with thanks to former Cllr William Lloyd for hosting. I am pleased to announce that

the events raised over £2,000 for my charities and also more than £1,000 for Winifred Dell Care Home in Warley.

I am also pleased to confirm, that for the Mayor's Charities, we now have a Councillor cross party team to run Brentwood's Half Marathon, joining myself will be Cllr Dr Tim Barrett, Cllr Will Russell and Cllr Jay Laplain. I am sure you will all be keen to sponsor us, if only to enjoy our collective suffering over several hours in March.

In more exciting news, the Civic Star of Brentwood Awards nominations for 2023 are now open. Please do consider nominating or spreading the word so those individuals or organisations can be rewarded for their great achievements in our Borough.

On a sadder note, tonight marks the last Committee meeting of our Director of Place, Phil Drane. After 17 and a half years with us, we wish him all the luck in his new role with Barrow in Furness following his move to Cumbria with his family. Phil has been a true asset to our Planning and Policy service and together with the strong team he has shaped have achieved great things in Brentwood and Rochford. May I present Phil with a gift on behalf of the Council.

He is always level-headed, dependable and a great project leader, a voice of calm in a sea of occasional chaos, successfully navigating difficult processes and projects which notably includes the Local Development Plan.

We wish Phil and his family all the success for the future and will be greatly missed by Members and Officers across Brentwood and Rochford.

I look forward to attending more events in and around the Borough in the new year.

I would like to take this opportunity to wish you all Merry Christmas and a Happy New Year ahead."

279. Minutes of the previous meeting

Cllr Worsfold confirmed he was present at the previous Ordinary Council meeting although this was not recorded in the attendance. .

Cllr Sankey had an amendment to his response to Cllr White on Page 201 of the previous minutes which should read as "Yes, it was a very interesting meeting and I thought everybody contributed very well. On this specific point, Mr Willis had actually responded by email and confirmed that there are actually no checks on counterparties. He has suggested a way forward which I would like to explore with him and I actually agree with what he is proposing".

Matters arising:

Cllr Bridge asked that the gas servicing dipped below target and can I ask the Chair of Housing why that is and our measures in place to ensure it doesn't happen again.

Cllr Dr Barrett responded to say that:

Gas Servicing is scheduled during the summer months and therefore any cases where access cannot be gained will show at the end of Q2 and for this financial year this consisted of 11 properties. The Council has now gained access to several of these properties and have obtained court warrants for the remaining outstanding services, and therefore we expect to reach the target by the end of Q3. For next year the Council is amending its servicing procedure to ensure that where a court warrant is required, these are applied for, obtained and actioned before the LGSR expires. This should mean that the 100% target is maintained.

Cllr Aspinell added that he was asked about a litter bin in Ingatestone, he updated Cllr Wagland that the bin was the responsibility of the Parish Council and not the Borough Council.

Cllr Barber added that following a Motion at the last Ordinary Council meeting, an action plan was agreed regarding the pigeons at Shenfield Station – he was updated at the recent Clean & Green Committee that there is currently no update for members.

280. Public Questions

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

As Mrs Smith and Mrs Gearon-Simm, the Mayor asked the questions on their behalf.

Two questions had been received from Mrs Smith.

Mrs Smith's first question:

What has happened to the La Plata badgers?

Cllr Aspinell responded:

I can advise that in accordance with wildlife legislation Natural England granted a licence in June 2021 to temporarily close a badger sett which was subsidiary to the main badger sett whilst development activities took place. Once the development was complete the sett was reinstated.

Mrs Smith's second question:

How can it happen that when independent organisations such as Citizen's Advice or Peabody (both operating from the Council reception area, and presumably approved of by the Council) try to help support a local vulnerable

disabled resident to the Housing Department, to clarify or uphold their rights, or sort out a situation objectively, they are completely ignored / stonewalled?

Cllr Dr Barrett responded:

The organisations working from the Councils reception area, independently rent the space which provides a central location for them to help those most in need. The Housing Department works closely with these and other organisations on a regular basis to resolve the issues raised with them by residents requiring help and support.

Two questions had been received from Mrs Gearon-Simm.

Mrs Gearon-Simm's first question:

In Switzerland, taxes paid to the local cantons (countries) are not taken away by the Swiss federal government. Cantons do not have to rely on the grace and favour of their federal government for grants. In England, local authorities central funding was squeezed post 2010 to the degree that spending power fell by 17.5% in a decade.

In 2015, the Audit Commission, which used to oversee local authorities audits, were no longer required and this seems to have been a key moment in the emerging financial disaster of property speculation by local authorities. Did Brentwood Borough Council (BBC) engage in purchasing property for speculation in the "free market" without voters referenced in this matter? If BBC still owns property for fund-raising purposes, is this thoroughly audited?

Cllr Kendall responded:

Any purchases of properties by the Council have been with the appropriate Members agreement and consideration is given to the benefit such purchases provide in terms of redevelopment or economic benefits to the borough. These are reported as part of the Council's Accounts which are audited by the Council's External Auditors and reported to the Audit & Scrutiny Committee.

Mrs Gearon-Simm's second question:

The Joseph Rountree Foundation, has been monitoring the scale of destitution in our country since 2015. Destitution is the state of living without sufficient means to have the basics for sustaining life. Margaret Thatcher said "Bring back Victorian values". Slums, workhouses, poor laws, child prostitution were part of the Victorian era. Does Brentwood Borough Council know of any destitute people who are living in Brentwood?

Cllr Aspinell responded:

Unfortunately, not everyone who is destitute will make themselves known to the Council. The Council regularly reports on the number of residents experiencing some form of hardship via a number of different measures especially in relation to the cost-of-living crises. These can include those experiencing homelessness, those in significant arrears or numbers of people visiting local foodbanks, however the reasons for this are very specific to the individual residents and we cannot therefore deem that all these people would be formally classed as destitute. At the Council's latest street homeless count carried out in November, no residents were reported as street homeless,

however we are aware that this is only a snapshot and may not show the full picture. The Council has a number of ways in which it will help the most vulnerable residents and we would encourage residents to come forward and seek support and advice at the earliest possible opportunity if they are facing significant hardship.

281. Memorials or Petitions

A petition was presented to the Mayor by Cllr Russell. This would be passed onto Officers.

282. Leaders and Chairs Reports and Written Questions

In accordance with the Council's Constitution a brief written report by each committee Chair and the Leader covering their area of responsibility will be circulated with the agenda for each Council meeting.

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

- (a) any matter included in a Chair's or the Leader'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) Questions to the Leader's report, should do not be a question that can be answered by a Committee Chair.
- (d) No question should be put to the Chair or the Leader 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 the Leader's and 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.

One written question was received from Cllr Poppy:

1. To the Chair of FAIR:

Before last Mays election, The Leader of the Liberal Democrats group promised a forensic examination of the Councils finances if they become the administration. Can I ask if this has been carried out and if so, which company carried out this examination and when will the council see the results published?

Response:

I can reassure Cllr Poppy that one of the first acts of this administration was to request of officers details of any financial issues, problems or liabilities facing

the Council. We had particular concerns regarding the size of the authority's debt and its treasury management arrangements. We also had questions about the Council's relationship with third parties, not just Seven Arches Investments (SAIL) but also any other partnerships. As Chair of FAIR, I also had concerns about the late external audit of the 2021/22 accounts.

At the first meeting of FAIR, I required reports in relation to the late 2021/22 audit, as well as potential errors in relation to historic treasury management accounting – specifically, Minimum Revenue Provision. These reports are a matter of public record. The late audit of accounts set out the findings of research conducted by the Council's Section 151 Officer. The historic Minimum Revenue Provision issue was explained in the report and been subject to detailed investigation by the Council's advisers as well as the external auditor, EY. Both issues will be addressed when the final audit report is presented in respect of the 2021/22 accounts.

A detailed report into the Council's Treasury Management arrangements was conducted by Link, the leading adviser on treasury management across local government. The report will be presented to FAIR on 20 December. It has already been approved by Audit & Scrutiny Committee.

It is very difficult to reduce the size of the debt that this Administration has inherited, without selling Council assets – not something that this administration would like to do, on the scale required to make a difference. However, we have required a rigorous review, by the officers responsible for delivering the projects that go to make up the capital programme – with the aim of reducing the considerable amount of historic slippage. This slippage is jargon for delays in delivering projects that have been promised. Our intention is to re-set the programme, so that borrowing does not take place before it is needed, and not at all, if projects do not progress. It is an unfortunate legacy that the major past delays in delivering projects not only defer the benefits that can be derived from their implementation – it has also resulted in significant cost increases.

The relationship with development partners has also been an issue. Whilst SAIL is delivering good results for the Council, there remains an overall concern regarding the inherent risk of the business model: to fund the cost of borrowing from commercial returns. This issue is discussed in the above review of Treasury Management. We are also expecting expert legal advice in respect of a further development partnership. Finally, before the end of the financial year, BDO will be conducting an internal audit of development partnerships. This audit has been added to the audit plan since the Joint Administration took control.

Cllr Poppy had a supplementary question:

Thank you for a very comprehensive answer except for the fact that obviously Link are not a forensic accountant so a forensic examination of the books has not been done. Secondly, did you actually commission this review from Link which is really on process of the finances of the Council which I believe with

conversations with the 151 Officer were going on before you took over the Administration.

Cllr Kendall responded:

The term is open to interpretation as far as I'm concerned - there has been a full review of the finances. When we took over we spoke to Mr Willis about this external audit by Link. We discussed it in terms of whether it should go ahead, whether it should happen and I was very much in favour of that taking place. I think it is a very useful report and it has already gone to the Audit and Scrutiny Committee and it will come to FAIR next week. I'm sure we'll have a full and open discussion on that. I think one of the situations is when you take over any situation, it's a bit like when the last Government took over and they said the coffers were empty, you find out a number of things and it's been a revealing process which is still ongoing.

Two written questions were received from Cllr White:

2. To the Chair of FAIR

At the September Ordinary Council we were told that the combined average weekly income from Coptfold Road was £4,054.01 with an estimated loss to date of £10,000-14,000 due to system failures. As of December how much income has now been lost due to failure to repair the system?

Response:

The combined weekly average of £4,054.01 included income for season tickets. Instead of issuing refunds the Council has extended season ticket holder permits by the time period that the MSCP payment season was not operational. The Council is expecting an estimated cash loss of £13,578. A new interim system is now in place at the MSCP and has been operational since 20th November 2023, a new payment system including ANPR technology will be installed in the first quarter of 2024.

Cllr White had a supplementary question:

I understand that part of the system temporarily places the use of QR codes. I'm sure Members will be aware of reports in the media about how the use of QR codes and parking is becoming quite a prevalent crime where fraudsters are replacing QR codes to get money from victims. In the event that because we've had to resort to this sort of a system in our Car Parks, what is the Council doing to make sure that none of this is activity is taking place in Coptfold Road, and if any of our residents do fall victim to such a scam will the Council hold them innocent?

Cllr Kendall responded:

I'm glad that Cllr White has come back on this point because on Good Morning Britain this issue came up about QR codes and I've spoken at length about this to Miss Barnes. My understanding is that operatives are checking

them on a daily basis to make sure they haven't been tampered with because there is some concern out there, so I can assure you that we do take it seriously, we're looking at it very closely. Ideally would we have this system – no - but it's the only system that's there so that's what we have in place at the moment. What I have done is some further research on this point - under the previous administration the Council had seven meetings with the supplier of the ticket and barrier machines – the first one was 23rd September to the 28th February 2023 and that was looking to upgrade the system, discuss the system and express our concerns. That was under the previous Administration so it showed there were problems already in place. Since this Administration has taken over there's been a further seven meetings with the supplier to try and resolve issues. What is concerning is that when the contract was first signed by the previous Administration, the Council did not have a service contract with the existing supplier which is a bizarre situation to be in so whoever was overseeing parking on your side of things, it's something that should have been looked at. The supplier informed the Council that the existing system was in fact the oldest system of its type in the Country. It was introduced in 2007 and was purchased by the Council back in 2014. This system hasn't actually been produced or installed anywhere else in the last eight years. We're hoping to have the new AMPR camera system installed at the Car Park in the first quarter and what I'm very pleased about this time is the terms and conditions of the contract with the supplier have gone through the whole legal process and that's something which was lacking in the past and it's been checked by the legal department and I hope that lessons can be learned from what has happened. We are where we are at the moment and I want to make sure we get this new AMPR camera installed as soon as possible and we can resume normal service.

3. To the Chair of Clean and Green

At the September Ordinary Council in response to my question about what the council's records monitoring the emptying of overflowing litter bins show - we were given the set schedule for the emptying of bins and told they have been emptied on schedule, as per plan, for the past 3 months; the Chair agreed in response to my supplementary to the release of the records – what do they say and where will they be published?

Response:

I am happy to circulate this to you and any other Councillor on request as the document is 200 pages in total. Please contact Democratic Services should anyone else require this information.

Cllr White had a supplementary question:

Considering that I asked this question originally as a Written Question before the last Council meeting and in the 10 days or so that Officers were given, they were able to answer the question about the three months of emptying of bins, why has it taken three months to respond to my requests to be given a copy of those records? Why were they not provided to me straight away after

the last meeting as the Chair of Clean and Green said he was happy to do so. I feel like I've had to use a Written Question to chase up an action and a promise that the Chair gave me at the last meeting. If we have to keep coming back and using up our Written Questions every time something isn't working or we're just being ignored, I hope it's the former, that's still concerning.

Cllr Aspinell responded:

Obviously something isn't working - it's possibly the fact that as I responded to the Written Question an awful lot of weight of paper is going to be required. On that subject at Clean and Green, I did ask that Clean and Green Committee be considered a paperless committee from now on and all agendas be on request only. I hope that the rest of this Council and all the Committees can go that way to help reduce our carbon footprint and help in the battle against climate change. So yes, a longer answer to your question but there is a large amount of paperwork that would be needed to provide you with that information.

One written question was received from Cllr Mayo:

4. To the Chair of Housing, Health and Communities:

As raised in the September Housing, Health and Community committee meeting, there have been lift malfunctions this year across the Council's social housing stock, for example at Drake House and Victoria Court. What is being done to prevent further malfunction now and what options are being considered to ensure reliable lift access for all of Brentwood's tenants, where applicable, over the longer term?

Response:

The passenger lifts across the borough are reaching the end of their working life and unfortunately until they are replaced, there is likely to be some level of disruption. The Housing team are working with a lift consultant to prepare a design specification to modernise the passenger lifts and aim to commence consultations with residents and a programme of replacement in the next financial year. The project to complete all lift replacements is anticipated to be over a 3-year period, subject to available capital funding.

The inspection regime for all passenger lifts has been increased from bi-monthly to monthly to look to minimise any further disruption to residents whilst the replacement programme takes place. This has taken effect from 1 December 2023 and will be in place until lifts have been modernised.

Two written questions was received from Cllr Rigby:

5. To the Chair of FAIR Committee:

What funding was allocated to litter collection schedules, street cleaning schedules and maintenance of the public realm plans for the following financial years:

2023/24

2022/23

2014/15?"

Response:

You can see the figures before you - I'm going to highlight the street cleansing net expenditure for 2023/24 - it has net expenditure at £356,470 for 2022/2023 net expenditure £530,050 and back in 2014/2015 which is under the Accord Administration, street cleansing was £577,170 so you can see the differences quite clearly there.

Department	14/15 Expenditure	14/15 Income	14/15 Net expenditure
Litter collection	1,820,020	(2,427,120)	(607,100)
Street Cleansing	640,670	(63,500)	577,170
Public Conveniences	46,060	(250)	45,810
Total	2,506,750	(2,490,870)	15,880

6. To the Chair of Housing, Health and Community:

Could you advise if the seven-day rule applies to our Axis contract? In many maintenance contracts, after seven days of reporting equipment failure, the landlord can seek an alternative contractor or supplier to remedy the failure if the contractor has not complied with the contract and repaired the faulty equipment within that timeframe.

Response

No this does not apply, the contract with Axis is a term partnering contract 2005 (amended 2013) ACA standard form of contract. There are escalation processes in place as part of the contract and we can seek full recovery of costs should we need to seek an alternative; however the ethos of the contract is to work together in partnership to remedy any such repairs and this step would only be taken in extreme measures and as a last resort.

One written question was received from Cllr N Cuthbert:

7. To the Chair of FAIR Committee:

What funding and staffing levels were budgeted for in 2023/24 for litter collection schedules, street cleaning schedules and maintenance of the public realm?

Response:

Department	Staffing Budget
Litter collection	1,980,285
Street Cleansing	309,230
Public Conveniences	33,930
Total	2,323,445

Department	Expenditure	Income	Net expenditure
Litter collection	2,426,520	(2,693,910)	(267,390)
Street Cleansing	413,470	(57,000)	356,470
Public Conveniences	45,830	0	45,830
Total	2,885,820	(2,750,910)	134,910

Two questions were received from Cllr Munden:**8. To the Chair of Housing, Health and Community:**

There has been a sustained period when door entry systems to many of our flats have not worked. In some flat blocks, Axis have just installed a new door entry system compliant in every aspect. Unfortunately, no doorbell rings in the flats, which means that guests and deliverers are left standing at the entrance waiting for somebody to let them in. There have been many complaints of failed deliveries. When is this to be addressed?

Response:

Like with some of our passenger lifts, many of the door entry systems across the borough are reaching the end of their working life and unfortunately until they are replaced, there is likely to be some level of disruption. Door Entry systems forms part of the Council's proposed 3 year Capital Planned Maintenance programme and many will be replaced across the borough during this time. We are aware of the issues in Elizabeth House which I believe is the block you are referring to. No new door entry system has been installed here, but many attempts to repair the existing system have taken place. Unfortunately, this particular system is one that is now beyond its working life and cannot be satisfactorily repaired which is causing the current issues with the intercoms not connecting to the individual flats. The system is scheduled to be upgraded within the next 12-18 months and we are about to embark on a consultation exercise with the residents of Elizabeth House, to let them have their say on what interim arrangements they would like to see in place with regards to the door entry whilst we work through the process of completing the upgrade.

9. To the Chair of FAIR Committee:

What is restricting the Borough Council from upgrading the ticket machines in our car parks?

Response:

Attempts were made to bring the current system back online with the current provider however the system was not capable of doing this and the aged system requires replacing. Work is still progressing with the procurement of a new system. The final contract documents have been received and have been reviewed by legal. The new system will utilise ANPR technology and increase the safety of the car park by creating a more secure car park. The ANPR technology will open the barrier and the gates of the car park on exit when payment is made on exit. Season ticket holders and Beckett House residents number plates will be entered into the system so they can enter and exit the car park. This system will be installed and operational within the first quarter of 2024.

Cllr Munden asked a supplementary question:

When can it be expected for ticket machines to be upgraded across other car Parks in the Borough?

Cllr Kendall replied:

I think there's members across the Chamber know this has been an ongoing issue for some time and a source of great frustration particularly to myself. If I had the choice I would replace all the ticket machines tomorrow with ones that are fit for purpose because I think what we've got at the moment doesn't really meet the standard that our residents quite rightly deserve. The problem we have at the moment is this Council entered into a contract some time ago and obviously it's got quite tight contractual agreements within it. There were some changes to that contract when the Western Road Car Park system was utilised and we are in a position at the moment where the previous Administration took legal advice on the contract and we have again taken legal advice that is still ongoing at the moment. We are reviewing what our options are. What I hope to do at some stage if it's possible, is bring a report to Members if there's any change on that legal advice from what we've had previously in terms of what the options might be to this Council. But where we are at the moment is we have these ticket machines but if I'm involved in the situation going forward, rest assured my aim will be to replace those ticket machines as soon as possible with ones that bring us up to the modern day standard.

One question has been received from Cllr Gorton:

10. To the Leader of the Council:

What engagement and involvement is offered by the County Council in regard to Highways maintenance and enhancement as a Borough Council?

Response:

As Leader of Brentwood Borough Council, the simplistic answer would be – none, but that would be disingenuous to both the County Council and yourself.

Until recently, and at a County level, I enjoyed regular contact with the previous Cabinet Member for Highways at Essex County Council. I was engaged in detailed and fruitful discussions surrounding Brentwood's highways matters, including on the enforcement of parking restrictions. I alerted the Cabinet Member for Highways to plans put forward in the Borough that could have a notable effect on the highways network.

In short, there was a dialogue based on mutual respect.

As a Borough, we also enjoyed membership in the Local Highways Panel, comprised of the four County Councillors representing Brentwood, local Ward Councillors and Parish Council representatives. All had voting rights to make decisions on improving our highways, footpath networks, cycleways, bridleways and by-ways.

Again, this was a dialogue based on mutual respect. It was apolitical, inclusive and pragmatic.

Sadly, things have now changed. For starters, our Highways Rangers function, which, for many years, played an integral and vital role in maintaining and enhancing our roads, footways, and street furniture, has been cut due to a diminishing Highways Budget. Brentwood Borough Council is now picking up this service in the face of limited resources.

The County Council then made the astonishing decision to enable the Chairs of all Local Highways Panels to select their membership of these panels. In Brentwood's case, the current Chair, Cllr Lesley Wagland, has decided to exclude membership of Borough and parish representatives, leaving the weight of decision-making on the shoulders of the County Councillors exclusively.

I could not justifiably claim, and sincerely hope, that the decision taken in Brentwood's case was not political and that it is simply a coincidence that such a decision was taken after the previous Conservative-led Administration in Brentwood changed after last May's local elections.

Such a decision flies in the face of other Local Highways Panels in the County, where they have chosen to keep local Ward and Parish representatives.

Councillor Barber had a point of information:

I don't believe that answer is respectful to Councillor Wagland. I don't think the answer is factual, it's there's a political element in the phrasing of the words in those paragraphs, I think Councillor Wagland is owed an apology by

being singled out in the reply to a Written Question by one of the Administration members. I really do think that this is not consistent with the Nolan principles of how we should treat each other with respect, and at the very least I would ask that you record that in the minutes on my behalf.

Mr Mayor responded:

The Chair of the Committee has a right to answer the question in how they see fit and will be held accountable for it both democratically and practically. Councillor Wagland was named therefore if she has a point a personal explanation you can give it but it has to be explicitly on personal explanations you could, not on a policy position.

Councillor Wagland responded:

Even when making an award to an Alderman at a previous Council meeting, Councillor Kendall felt it necessary to site me an unpleasant fashion. I'm quite surprised to see the way in which this is being dealt with and I am going to address the question. This is a matter of fairness and a matter of reasonableness because I am named in this matter and so I should have an opportunity to deal with it, but I would say in all of this and as I have said on a previous occasion, this approach to matters does not represent the facts. Firstly and importantly is where I appear is in relation to the Local Highway Panel. It's important to understand that the Local Highways Panel has always dealt with what I think Councillor Gorton would have described as enhancements - it has not dealt with matters of maintenance and it has been projects originally - small projects subsequently and larger projects as more money became available. This enabled us to enhance and all of us have had many successes in relation to that during the course of my Chairmanship of that panel. However as a result of the extreme pressures that have come to bear on the County Council in relation to road maintenance and the extreme bad weather that has been experienced and the situation in relation to repairs, it was considered by the County Council that in order to make funding appropriately available schedules would be produced. The Leader of this Council is a member of the Local Highway Panel and receives the paperwork. Those schedules are matters of highway maintenance and they are not matters upon which there is very much decision making because had they not been endorsed they wouldn't have been done at all so this was more of a rubber stamping exercise. It was considered by me looking at those documents that what was needed was the swiftest possible arrangements in order to be sure that the narrow remit was dealt with, and the issues of our pre-existing schemes were resolved and dealt with as quickly as possible. Some of them having been dealt with, as the Leader also knows, by means of correspondence between the four members of the County Council.

That is an explanation of the circumstance which is alleged against me that I did so as a matter of political convenience which I think follows from the subsequent paragraph. The position in relation to the Parish Council is that much of Brentwood is not parished. The experience of two successive Parish Representatives had been that they had not been able to secure requests and

projects from other parishes than the ones that they operated from or in one case, were about to stand for as an elected member. Therefore the consideration was that given we were dealing with the much reduced remit and given that we were in the position in which the matter was solely a maintenance matter and that we were retrieving and making sure those projects which were already in the pipeline were dealt with, the key question was one of speed and efficiency. For that reason, I dealt with the matter in terms of the way in which this was dealt with. There was no question of political animus or any kind. This was a matter of deciding how to deal with it and in final point it is not true that others didn't do it as Rochford have done precisely what I did and I think you will find that a large number of the panels had confined themselves to the County's where they had the narrower remit. Had this been raised with me beforehand I would have been able to give that answer more in a more succinct way and with correspondence.

Councillor Kendall had a point of order:

I've just been accused of doing something with regards to comments I made when someone was put forward as Alderman and I'm supposed to have said something regarding Councillor Wagland. I don't understand what I'm supposed to have said which has been disrespectful to Councillor Wagland - I've had a good working relationship with Councillor Wagland in the past and see no reason for that to change. Any comment that I made was certainly not, as far as I'm concerned, disrespectful so I would like that to be recorded.

Mr Mayor responded:

That is noted Councillor Kendall. Councillor Wagland I would ask you to withdraw it unless you are prepared to evidence it?

Councillor Wagland responded:

Councillor Kendall said that Cllr Keble had cause – or something to that effect - to take matters up with me and I had had experience of him in that capacity, and I was singled out in effect and named.

Councillor Kendall responded:

That explanation is totally ridiculous and I ask for a withdrawal.

Mr Mayor responded:

Councillor Wagland – are you prepared to withdraw that statement?

Councillor Wagland responded:

I will withdraw.

Mr Mayor responded:

That statement is withdrawn and noted.

One question has been received from Cllr Worsfold:

11. To the Chair of Clean & Green:

How many litter bin collections have been made from the period May to November 2022 compared to the same period in 2023?

Response:

We undertake 1462 visits to empty bins every week throughout that period in 2022, in 2023, the records show that the number of bins emptied are identical.

Councillor Worsfold asked a supplementary question:

Do you believe that further investment in litter bin collections and the provision of litter bins should be brought forward in the budget for 2024/25?

Councillor Aspinell responded:

We're constantly monitoring the amount of litter fly tips and litter that is put in our streets at all time and if there is a need for us to revisit the budget we will. In fact, at the recent Clean and Green Committee we have asked for further resources for this purpose and I hope that we will have cleaner streets, cleaner roads and cleaner lanes going forward.

One question has been received from Cllr Naylor:

12. To the Chair of Clean & Green:

What is the level of flytip collections in the period March to November 2022 compared to the same period in 2023?

Response:

In 2022 there were 763 recorded fly tips, for the same period this year - a total of 1,028.

Councillor Naylor asked a supplementary question:

Could any factors have contributed to this considerable escalation of fly tips?

Councillor Aspinell responded:

We understand that there are organised criminal gangs coming from outside the Borough in our beautiful countryside and in various locations. The majority of this is in Warley and Navestock. I believe at the period I was looking at, we have an increase of over 150 fly tips that we have actually

collected. The method of trying to deal with this is to obviously identify where these fly tips are, when we are told by local residents or passing motorists, and then allocate the required vehicle and crew to go and clear. We know there are ways of trying to restrict that, we are undertaking through the marvellous work that Jonathan Woodhams and his Enforcement Team have been carrying out, and thanks to the Police and Crime Commissioner, we have received additional funding to allocate for cameras for safer streets and other projects. We are allocating four of those cameras to Navestock in places that I'm not going to announce, but they're going to cover the main places where this criminal act occurs. Cameras will not prevent people from doing it but if we can, with our colleagues in the Police, track back where these people are coming from - because they're doing this with false number plates. If we can follow them through then perhaps identify where they've come from, we can start prosecuting. One prosecution was scheduled for last Friday but unfortunately that person didn't turn up and a warrant has been issued for his arrest. I hope that will add to whatever sentence that is likely to be handed down. The Parish Council in Navestock, I have to thank them, have paid for four additional cameras and they will be located in places where the Parish Council believe that they would be most useful under the guidance of our enforcement team and Essex Police. Essex Police have further patrols in the area because they consider this a serious enough matter to be more involved in than previously. We hope to combat this serious matter in our Borough.

One question has been received from Cllr Barber:

13. To the Chair of Clean & Green:

The EV Charger timeline that was presented to Councillors back in June 2022 showed Hunters Avenue, Friars Avenue, Market Place, Bell Mead and the Multi-Storey Car Park as being included in the agreed scope of the rollout programme. All EV sites were due to be delivered (i.e. procured, installed and operational) by October 2023. However, the most recent update to the Clean and Green Committee now appears to reveal a substantially delayed new approach such that the rollout of EV Chargers at the above locations will now not even start until six months after the EV chargers have gone live in Chatham Way Car Park and KGPF.

Such a change of approach will substantially delay the provision of infrastructure for electrical vehicles to residents in many parts of our Borough. This is despite the council having declared a Climate Emergency. Given this new delay to the rollout, can the Chair of Clean and Green confirm the new estimated dates for EV charging facilities being made available for use to the public at the car parks listed below?

- Shenfield - Hunters Avenue & Friars Avenue
- Ingatestone - Market Place & Bell Mead
- Brentwood - Coptfold Road

Response:

On 20th June 2022 an update was provided by the Chair of Community, Environment and Enforcement Committee that the Council was procuring in July 2022 for a company to install Electric Vehicle Chargers in the Council Car Park.

The update highlighted that Chatham Way and King Georges car parks were the car parks being procured in the procurement exercise. Once this exercise was completed the Council would move onto the next two car parks, however no commitment was made to what car parks and a timeframe.

The Council will be installing EV charges at the following locations

- Chatham Way Car Park – 4 fast charging bays and 4 rapid charging bays with works are due to commence on 11th December and be completed by the 15th December.*
- King George's Playing Fields – 4 standard charge bays in car park adjacent to entrance from Ingrave Road and 6 rapid charging bays and 4 fast charging bays in the central car park. Works are due to commence on 13th December and be completed by 22nd December*

Since the Council begun looking at opportunities to install EV charges in its Council owned car parks, Essex County Council have launched their own EV charging strategy. The purpose of Essex's strategy is to support the shift to EVs to ensure residents, businesses and visitors to Essex can access a reliable, convenient, accessible and fairly priced network of charging points. To help achieve this, Essex have now developed a draft Essex Electric Vehicle Charge Point Strategy which sets out what they want the charging network to look like in Essex, what they can do to unlock funding, and how they can work with businesses and public sector partners to help meet demand.

Officers believe that now is the appropriate time to review the EV chargers within Brentwood and to develop its own strategy for the borough that captures data and assess the need for the borough so that members can make informed decisions on how the Council can actively deliver EV charging points not just across it's Council owned car parks but across the borough, supporting the Climate Emergency that has been declared.

Therefore, the Council's own EV strategy alongside an action plan will be brought forward to the appropriate committee 6 months after the EV chargers at Chatham and King Georges have gone live. The Council can then capture the data usage of these car parks alongside the Town Hall EV chargers to make informed recommendations to members on hoe to progress it's EV rollout.

Councillor Barber asked a supplementary question:

I can't agree with the second sentence in the second paragraph - I'd like to ask the Leader and the Chair of Clean and Green how that can possibly be true that the procurement process did not include those other sites when I

actually have a screenshot of the presentation that was made to us as Councillors that's entitled: "Revised EV charger procurement timeline" which states quite clearly that the installation for the charges to Hunters Avenue, Friars Avenue, Market Place and Bell Mead would be completed in April, May and June and that the multi- story would be completed in September October 2023. How can the answer we've been given here, which I believe to be factually incorrect, be consistent with a presentation made by officers. This is factually wrong, the policy I asked about in two Ordinary Council meetings for an update on the EV charger timetable, and at the last one the Leader promised he would come back to me, that he should know but he didn't. I had to, like Councillor White, waste another question in this meeting to get the information I previously requested twice and the information is not even provided with the estimated dates for those locations.

Councillor Aspinell responded:

I have my original answer is what is there.

Councillor Reed asked a question to the Leader of the Council:

The copies of the Council's news magazine started to arrive, I've yet to receive mine - I couldn't find a budget being brought to any committee. I'm wondering if we're able to obtain the costs that have been incurred including officer time, design, printing and distribution and how many issues are proposed to be made this financial year.

Councillor Aspinell responded:

The figure is £41,000 and that includes two issues of this - this one which is very impressive I hope you think and that it's something that we are proud of. That will go through every single door in the Town, the first time that all of our residents have been contacted by all of the Council outside of their Council Tax or Election correspondence so this is something new, something that I hope the residents of Brentwood will appreciate. It is full of information, this one not as much as in information as we would like, the further issue that we hope to be with residents around February will be enhanced and you'll have much more information on what the Council actually does and there'll be some other Members in it as well.

Councillor Reed asked a question to the Leader of the Council:

The copies of the Council's news magazine started to arrive, I've yet to receive mine - I couldn't find a budget being brought to any committee. I'm wondering if we're able to obtain the costs that have been incurred including officer time, design, printing and distribution and how many issues are proposed to be made this financial year.

Councillor Aspinell responded:

The figure is £41,000 and that includes two issues of this - this one which is very impressive I hope you think and that it's something that we are proud of. That will go through every single door in the Town, the first time that all of our residents have been contacted by the Council outside of their Council Tax or Election correspondence. This is something new, something that I hope the residents of Brentwood will appreciate. It is full of information, this one not as much but the further issue that we hope to be with residents around February, will be enhanced and you'll have much more information on what the Council does and there'll be some other Members in it as well.

Councillor Russell asked a question to the Leader of the Council:

It's about the magazine - I got it today and I was impressed to receive it. It's something that I wanted to introduce as well and I've highlighted all these Conservative led initiatives that are all the way through it here - it's fantastic. I thought the point of it though was for those that didn't have internet access could be sign posted to various cost of living advice etc. When I go through the magazine it pinpoints me to Brentwood Borough Council website, signposting is via a website or QR codes. With QR codes, I thought we was trying to steer away from that but everything here is signposting people via the Internet and even the back page. Earlier on we were talking about climate change and going paperless on Clean & Green and then you've got 35,000 these going out – incredible. My question is in the future do you think we could have more signposting that isn't just via the Internet but more telephone numbers in regards to pinpointing people to the cost of the living grants available and maybe news of the multi-story car park - more of those kind of updates than this which is not much more than a vanity project.

Councillor Mynott had a point of information:

Page one of the magazine is how to contact Brentwood Borough Council, the Councils phone number - our phone lines are open Monday to Thursday 8:30 to 5:00p.m and Fridays 8:30 to 4:30 p.m.- it is a factually incorrect accusation. That's a non internet way of contacting the Council. It's right there.

Councillor White asked a question to the Leader of the Council:

This is a follow-up to Councillor Reed's question, he said he didn't know that there had been any amendments to any budgets - so in terms of the cost of this magazine, this vanity project, how has it been paid for? Where was the finance signed off for it and how much has it cost?

Mr Stephenson responded:

Just to clarify that it has come out of the existing budgets - there's no additional budget for that, it's got existing budget that's been agreed at last year's budget.

Councillor Hirst asked a question to the Chair of Clean & Green Committee:

With reference to the Joint Lib/Lab Administration's commitment to a climate emergency, could the Chair of the Clean & Green Committee please tell me if they've decided on the location for the new Depot and what the impact of that change will be on the Council's carbon footprint.

Councillor Aspinell responded:

We're still working under the previous Administration's directions and guidance and decision making - we have in place a replacement for the Depot. I'm not sure that that is the right one and we still entering into negotiations with various parties as to find a better, more as you say, climate emergency measure than the one that is before us.

Councillor Barber asked a question to the Leader of the Council:

Can the Leader of the Council confirm to us the position of the Administration in respect to mandatory 20 mph limits across the Borough. Is he and his Administration supportive of that?

Councillor Aspinell responded:

We already have 20 mph zones within Brentwood. There was a debate at County yesterday regarding this where the Council opposition put forward a 20 mph zone for most estate roads and side roads in Essex which I really support. I see no reason why on estate roads people should exceed that, it's proven that the speed collision to a personal injury far exceeds and gives more problems and more injury, more hurt if you go above that so I see it was a no-brainer to me to vote for it. Unfortunately, the Conservatives at County voted it down so we have no 20 mph blanket zone through our own estate roads.

Councillor Bridge asked a question to the Chair of Housing, Health and Communities:

How many meetings have been held with the NHS Estates team over a proposed location for a surgery in Ingatestone?

Councillor Dr Barrett responded:

I don't know the exact number myself I know there's been more than one - can I direct you to Jonathan Stephenson for that answer.

Mr Stephenson responded:

If I could respond outside the meeting just to be clarify 100% how many meetings have taken place since the last Council meeting.

283. Partnership Peer Review

The report informed Members that a Partnership Peer challenge will take place between the 4th and 8th March 2024. This Peer Challenge will be undertaken by the Local Government Association (LGA) and will be a Corporate Peer Challenge with a specific focus on Brentwood Borough Council's One Team Partnership with Rochford District Council.

This item was for information only so no voting was required.

284. Pay Award 2023-24

Brentwood Borough Council is not part of the NJC and pay is set locally, however over a number of years we have reached agreement on the local pay award, that has mirrored that of the national pay award. On 1 March 2023 the Council agreed to include a 4% pay award within the 2023/24 Budget for Brentwood employees, with a view to wait for the outcome of the nationally agreed pay award, before looking to consult and implement.

This item was information only so no voting was required.

285. Review of Polling Districts and Polling Places

The report detailed the responses received from the recent public consultation on the review of polling districts and polling places, evaluates the issues raised and proposes an amended schedule with polling district boundary maps for Members' approval.

Cllr Kendall thanked the work undertaken by officers which was echoed by Cllr Barber.

Cllr Kendall **MOVED** and Cllr Barber **SECONDED** the recommendations in the report. A vote was taken and it was **RESOLVED UNANIMOUSLY**

Members were asked to:

R1. Approve the Schedule of Polling Districts and Polling Places, as appended to the report, to take effect from 4 January 2024.

REASON FOR RECOMMENDATION

The Council is required to keep polling districts and polling places under review and make amendments where necessary. The recent review of the ward structure in the Brentwood Borough by the Local Government Boundary Commission for England (LGBCE) has made changes that will affect where some people go to vote.

This review sets out revised polling districts and polling places within the new ward structure drawn up by the LGBCE. It cannot amend any of the ward boundaries that have been put in place and given Government approval

286. Appointment of an Independent Person for the Audit function of the Audit & Scrutiny Committee

Audit & Scrutiny Committee on 26 September 2023 approved the recommendation to Council for an Independent Person (IP) to be appointed to the Council's Audit & Scrutiny Committee (for audit business).

Cllr Sankey **MOVED** and Cllr White **SECONDED** the recommendations in the report. A vote was taken and it was **RESOLVED UNANIMOUSLY**

Members were asked:

R1. That an Independent Person is appointed for the Council's audit functions, which form part of the business of Audit & Scrutiny Committee.

R2. The recruitment of the Independent Person is delegated to the Interim Director of Resources in consultation with the Chair of Audit & Scrutiny Committee.

REASONS FOR RECOMMENDATIONS

The Government response in June 2022 to the Local Audit Framework: Technical Consultation set out plans to strengthen local audit framework in light of the Redmond Review. It confirmed that when parliamentary time allows, audit committees will be made compulsory for all local councils, with at least one independent member required on each committee. This follows the CIPFA detailed guidance on the function and operation of audit Committees in Local Authorities which endorsed the approach of mandatory inclusion of a lay or independent member and recommended that, for authorities for whom it is not a requirement at present, they actively explore the appointment of an independent member to the Committee. Ahead of any legislative requirement being implemented, it is recommended that the Council therefore takes steps to introduce an Independent Person onto the Audit & Scrutiny Committee so that an appropriate person can be recruited as soon as is practicable.

287. Council Tax premium

The report was to introduce a Council Tax premium of 100% for second homes (unoccupied and furnished dwellings) within the borough, with effect from 1 April 2025. This 100% premium is in addition to the standard Council Tax charge. The Levelling Up and Regeneration Act 2023 sets out that when determining its decision, each billing authority has to adopt the agreed percentage of any premium by the 31 March prior to the financial year in which it wants to introduce the changes. This decision therefore requires agreement by 31 March 2024, to come into effect from 1 April 2025.

Cllr Kendall **MOVED** and Cllr Laplain **SECONDED** the recommendations in the report.

Cllr Kendall requested a recorded vote which was supported by Cllrs Laplain, M Cuthbert, Naylor, Mynott and Aspinell.

FOR: Cllrs Barrett; Haigh; Aspinell; Barber; Dr Barrett; Bridge; M Cuthbert; N Cuthbert; Davies; Francois; Fulcher; Gelderbloem; Gorton; Kendall; Laplain; Marsh; Mayo; McCheyne; Munden; Murphy; Mynott; Naylor; Parker; Pound; Reed; Rigby; Sankey; Slade; Wagland; White; and Worsfold (31).

AGAINST: (0)

ABSTAIN: (0)

This was **RESOLVED UNANIMOUSLY:**

Members were asked to:

Approve the implementation of the Council Tax premium of 100% for second homes (unoccupied and furnished dwellings) within the Borough, with effect from 1 April 2025.

REASON FOR RECOMMENDATION

The introduction of the Levelling Up and Regeneration Act 2023 allows the Council to make amendments to the levying of Council Tax premiums within the borough with effect from 1 April 2025.

(Cllr Hirst and Poppy declared a pecuniary interest left the Chamber and did not vote on this item).

288. Treasury Management Mid-Year review

This report gives an update on the Council's treasury management activity and performance for the period April to October 2023. It also presents an update to the Council's Minimum Revenue Provision (MRP) policy for 2023/24, following discussions between the S151 Officer and the Council's external auditors. The report was presented to and was approved by Audit & Scrutiny Committee on 14th November 2023. The report is now being presented for consideration and approval to Ordinary Council in accordance with the Council's Treasury Management Practices.

Cllr Kendall thanked the work the team had been doing and welcomed the Member Briefing in January.

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

R1. To note the Council's treasury management activity and performance for the period April to October 2023.

R2. To approve the revised prudential indicators set out in paragraph 13.

R3. To approve the updated MRP policy

REASONS FOR RECOMMENDATIONS

To enable the scrutiny of the Council's Treasury Management activity and performance in 2023/24 in compliance with CIPFA's Treasury Management in the Public Services: Code of Practice (the CIPFA Code 2021 Edition) and generally accepted good practice. To add clarity to the method for calculating MRP being followed in respect of the debt liability pre-1 April 2008.

289. Appointment of Strategic Director

Members agreed to discuss this Item in private session and the press and public were excluded.

The report sought the Council's approval to appoint the joint Strategic Director for Commercial & Regeneration. This role is a OneTeam appointment and will also be subject to the required approvals by Rochford District Council (RDC).

Cllr Davies **MOVED** and Cllr N Cuthbert **SECONDED** the recommendations in the report. A vote was taken and it was **RESOLVED UNANIMOUSLY**

R1 - To appoint the Strategic Director for Commercial & Regeneration as set out in the Confidential Appendix A.

R2 - That the Monitoring Officer be given delegated authority in consultation with the Constitution Working Group, to make any required changes to the Constitution to give effect to the recommendations in this report.

REASON FOR RECOMMENDATION

To appoint the joint Strategic Director for Commercial & Regeneration, following the resignation of the current postholder, who leaves the Council in June 2024. This will ensure there is continuity in the role and a sufficient period of handover in this critical role.

290. EXEMPT - Joint Venture

This item was held in private session and the press and public were excluded.

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

Cllr Kendall requested a recorded vote which was supported by Cllrs Aspinell, Laplain, Naylor, Mynott and M Cuthbert.

FOR: Cllrs Barrett; Haigh; Aspinell; Barber; Dr Barrett; Bridge; M Cuthbert; N Cuthbert; Davies; Francois; Fulcher; Gelderbloem; Gorton; Hirst; Kendall; Laplain; Marsh; Mayo; McCheyne; Munden; Murphy; Mynott; Naylor; Parker; Poppy' Pound; Reed; Rigby; Russell; Sankey; Slade; Wagland; White; and Worsfold (34).

AGAINST: (0)

ABSTAIN: (0)

This was **RESOLVED UNANIMOUSLY**.

291. Notice of Motion

Motion 1 – Received 27th November 2023 @ 05:05

Mover: Cllr White Second: Cllr Slade

TRANSPARENCY Council workers deliver services to the public using tax payers' money, and as such the council expects these staff to exhibit exemplary standards of behaviour. They should behave with integrity and demonstrate an honest, open and transparent attitude to their work.

The Principles of Public Life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government and a range of other public bodies and services.

A 2019 Review by the Committee on Standards in Public Life 'Local Government Ethical Standards' "...identified a number of risks in the sector: the current rules Page 79 Agenda Item 16 around conflicts of interest, gifts, and hospitality are inadequate; and the increased complexity of local government decision-making is putting governance under strain."

This motion seeks to identify best practice in Local Government transparency, in particular for Senior staff with formal delegated decision-making powers, or those staff appointed as Directors of organisations on the Councils behalf – and requires the Chief Executive and Monitoring Officer to work with the administration and political groups to propose a suitable register of interests for senior staff.

This Council Notes:

1. The Principles of Public Life apply to anyone who works as a public office[1]holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in local government;
2. Of these, the principal of Openness is that: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing;
3. There is considerable variation in the codes of conduct of Local authorities;
4. Bodies such as the GLA have a registration of interests in a common format for Members and Senior Staff, which reflects the standard template used across the GLA Group;

5. The Local Authority's constitution and its governance / financial framework vests a number of senior staff with delegated authority or roles where they 'act as a director in a company that the Council owns or has shares in.

This Council Resolves:

1. That the Head of Paid Service and Monitoring Officer work with the Chair of Audit and Scrutiny, and Leaders of each Political Group to review the Council's codes of Ethics & Standards for staff and compare these to best practice in the UK.

2. That the review should consider any relevant advice, guidance and reports from: the LGA, the Committee on Standards in Public Life, obligations and statutory duties on local government officers, the National Joint Council for Local Government Services (the Green Book) and the Constitution Salaries Conditions of Service (Joint Negotiating Committee for Chief Officers of Local Authorities) and other sources as may be considered relevant.

3. The review include the development of an appropriate register of interests (e.g. all directorships for senior staff) for senior staff.

4. Officers should report back to the next full council on the development of updated staff codes and the register of interests.

An **AMENDMENT** was **MOVED** by Cllr Worsfold and **SECONDED** by Cllr Kendall:

This Council Resolves:

1. That the Head of Paid Service and Monitoring Officer work with the Chair of Audit and Scrutiny, and Leaders of each Political Group to review the Council's codes of Ethics & Standards for staff *and members* and compare these to best practice in the UK.

2. That the review should consider any relevant advice, guidance and reports from: the LGA, the Committee on Standards in Public Life, obligations and statutory duties on local government officers, the National Joint Council for Local Government Services (the Green Book) and the Constitution Salaries Conditions of Service (Joint Negotiating Committee for Chief Officers of Local Authorities) and other sources as may be considered relevant.

3. The review include the development of an appropriate register of interests (e.g. all directorships for senior staff) for senior staff *and ensure the requirement for members are aligned with this.*

4. Officers should report back to the next full council on the development of updated staff codes and the register of interests.

The **AMENDMENT** was **ACCEPTED** by the mover and seconder of the motion.

The amended motion became the substantive motion and was discussed. Cllr Laplain **MOVED** and Cllr Mynott **SECONDED** that this should be referred to the Constitution Working Group. Members voted by a show of hands and this was **CARRIED**.

Motion 2 and 3 were withdrawn.

292. Urgent Business

There were no items of Urgent Business – the Mayor wished everyone a Merry Christmas and a Happy New Year and closed the meeting.