## **Minutes**

## Finance, Assets, Investment & Recovery Committee Wednesday, 12th July, 2023

#### **Attendance**

Cllr Kendall (Chair) Cllr Bridge
Cllr Lewis (Vice-Chair) Cllr Laplain
Cllr Barber Cllr Parker
Cllr Barrett Cllr Poppy

## **Apologies**

Cllr Worsfold

#### **Substitute Present**

Cllr Aspinell (substituting for Cllr Worsfold)

#### **Also Present**

Cllr Munden

## **Officers Present**

Phoebe Barnes - Director - Assets & Investments
Greg Campbell - Director - Policy and Delivery

Phil Drane - Director - Place

Zoey Foakes - Governance & Member Support Officer

Claire Mayhew - Acting Joint Director of People & Governance &

**Monitoring Officer** 

Jonathan Stephenson - Chief Executive Steve Summers - Strategic Director

Tim Willis - Interim Director - Resources
Richard Wilson - Commercial Consultant
Sam Wood - Corporate Manager - Finance

## 81. Apologies for absence

Apologies were received from Cllr Worsfold with Cllr Aspinell substituting.

## 82. Minutes of the previous Policy, Resources & Economic Development Committee - 8 March 2023

The minutes of the Policy, Resources & Economic Development Committee which took place on 8th March 2023 were **AGREED** as a true record

## 83. Appointments to the Constitution Working Group

The Council has a statutory duty to maintain an up to date Constitution, Local Government Act 2000, the Constitution must cover standing orders, delegations and code of conduct for members, it can also have local conditions and rules that reflect its own area and how to make decisions. The Monitoring Officer (MO) has the responsibility to ensure that the Council's Constitution is up to date. To facilitate this the Council under Article 12 has convened a Constitution Working Group (CWG) which is a cross party working group that consults with the MO on changes necessary to ensure an effective and up to date Constitution is maintained by the Council.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted and it was **RESOLVED** to:

R1 Agree the nominations for the Constitutional Working Group set out in paragraph 9 for the next municipal year.

### REASONS FOR RECOMMENDATIONS

In line with the Council's constitution.

## 84. OneTeam Transformation Programme – Strategic Partnership with Rochford District Council Quarter 1 Update

The purpose of the report was to provide a quarterly update on progress of the One Team Transformation Programme.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY**:

## R1. That the Committee notes the progress of the OneTeam Transformation Programme.

#### REASONS FOR RECOMMENDATIONS

To ensure that Members are informed of the progress of the OneTeam Transformation Programme.

## 85. Ultra Low Emission Zone Expansion

This was an information report that identified some of the actions being taken by local authorities neighbouring London but not within the new Ultra Low Emission Zone (ULEZ). The report outlined the measures the Leader and Administration would propose to the Mayor of London and Transport for London to mitigate the impact on Brentwood residents and small businesses following the expansion of the Ultra-Low Emission Zone (ULEZ) from 29 August 2023 across all London boroughs. A letter was drafted to be sent to the Mayor of London and Transport for London. The report gave members understanding of other local authorities' actions and stance on the proposed introduction of the ULEZ Charge. Further that members were aware of the Leaders letter to the Mayor of London and Transport for London expressing our support for Brentwood residents and small businesses to receive the same support as those living in London.

A copy of the draft letter was circulated to members.

This item was for information only and no vote was required.

## 86. Brentwood Connected Business Improvement District (BID) Partnership Agreement

On 30 June 2023, the results of the 'Brentwood Connected' Business Improvement District (BID) ballot were announced. Businesses in Brentwood, Shenfield and Ingatestone had voted in favour of the BID. The total turnout by eligible ratepayer for the election was 35%. The votes cast in favour were 140 (80%) and the total value of the hereditaments for the votes cast in favour was £9,273,250 (87%). The BID will start on 1 October 2023 and operate for five years until 30 September 2028. The council will become the BID Body and the Brentwood Business Partnership (BBP) will become the BID Advisory Group.

To ensure maximum impact from 1 October, a BID Manager will need to be recruited this summer and planning will need to start on autumn events and initiatives.

Members and officers thanked Kaye Thurgood, Nish Patel of Brentwood Business Partnership and also the Economic Development Team, Laurie Edmonds and Nish Amin for all their hard work and efforts around the BID being successful.

Cllr Kendall **MOVED** an **AMENDMENT** to R1 and Cllr Lewis **SECONDED** the amendment and recommendations in the report:

R1. Delegate authority to the Strategic Directors, in consultation with the Chair of FAIR Committee and the Lead Spokesman of the Opposition for FAIR Committee, to sign a BID partnership agreement with the Brentwood Business Partnership.

Members voted **UNANIMOUSLY** and it was resolved to:

R1. Delegate authority to the Strategic Directors, in consultation with the Chair of FAIR Committee and the Lead Spokesman of the Opposition for FAIR Committee, to sign a BID partnership agreement with the Brentwood Business Partnership.

R2. Delegate authority to the Section 151 Officer to release advance funding for the BID of up to £50,000, subject to the production of a costed workplan and cashflow acceptable to the S151 Officer detailing the funding requirements.

#### REASONS FOR RECOMMENDATIONS

The council needs to enter into an agreement with the Brentwood Business Partnership (BBP) to set out clearly the roles and responsibilities of each party.

The agreement will include a baseline statement that outlines the services the council will continue to provide within its own budget, such as street cleansing, CCTV, fly tipping and grounds maintenance.

The council is the billing authority for the purposes of the Local Government Act 2003 and is responsible for collecting the Business Improvement District (BID) Levy and administering the BID Revenue Account.

BID levy invoices will be issued one month before the 1 October launch date.

The BID will be unable to commence activity until levy payments start to be made. Therefore, it is recommended that the council consider making an advance payment of up to £50,000 to fund setup and project planning costs.

## 87. Town Hall Car Parking

The demand on the staff parking is increasing. The North Car park at the Town Hall Ingrave Road, is predominantly allocated for staff however it currently is an allocated public car park in the borough. Staff, members, and visitors travelling to the Town Hall are unable to park as the public utilise the spaces. To manage the parking effectively at the Town Hall it is recommended that Zone A is returned to a staff car park Monday – Friday and that the car park be made for public parking at weekends only.

Cllr Kendall confirmed that the EV chargers located in this car park would still be available to the public 7 days a week.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

That the Council's off-street parking order is amended for the Town Hall (North Car Park) Zone A Car Park in Appendix A to the following:

• Staff Permit Parking Only Monday to Friday.

Public parking at weekend only. Car Parks Zone B (Visitors) and Zone C (South car park) to remain as they currently are.

#### REASONS FOR RECOMMENDATIONS

To ensure that the Council as an organisation, operating from the Town Hall has the appropriate car parking provision that can be managed effectively.

#### 88. War Memorial

The Council is responsible for the management and maintenance of the War Memorial located at the junction of the A1023 Shenfield Road and Middleton Hall Lane. A public consultation was undertaken seeking the views of the people of Brentwood regarding a proposal for the removal of the existing planting beds around the memorial and to extend the paving area thus increasing the available space for those attending the services and events at the memorial. The report updated members on the responses following the consultation and recommends the option based on the public responses.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved to:

## R1. Note the public consultation responses.

R2. Approve that no further investment is required to the War Memorial and the Council will maintain the War Memorial, planting the existing area and ensuring the memorial is cleaned.

#### REASONS FOR RECOMMENDATIONS

Following a report to Community, Environment and Enforcement on 4th October 2022 it was resolved that a full public consultation be carried out seeking the views of the people of Brentwood in support of the proposal. Delegated authority be given to the S151 Officer in consultation with the Chair of Community, Environment and Enforcement Committee to determine the consultation process and decision to be made at Performance, Resource and Economic Development Committee

#### 89. 2022/23 Financial Outturn

The report gave a summary of the overall financial outturn position for the financial year 2022/23.

The key elements of the provisional outturn are:

General Fund

- 1) The outturn for the general fund is a balanced position for 2022/23 compared to a budgeted deficit set at £121k.
- 2) In March 2023 it was forecasted that the outturn position would be of a break[1]even position.
- 3) Working balances remain at £2.874 million which is still within the minimum level of reserves.
- 4) Overall, General Fund earmarked reserves have decreased by £3.354 million to £9,447 million. However, this is due to the planned use of covid reserves. Reserves at 31 March 2023 are:
- a. Mitigation reserves balance £6.182 million

- b. Service reserves balance £1,932 million
- c. Specific reserves balance £960k
- d. Covid reserves balance £373k

## Housing Revenue Account

- 1) The outturn reflects a net underspend of £390k against the working surplus budget of £147k.
- 2) The HRA working balance has increased significantly to £2.311 million as at the 31st March 2022.
- 3) The HRA earmarked reserves remain at £2.5 million.

## Capital

1) The capital outturn was £14.443 million compared to a reported revised budget of £58.952 million.

The Draft Annual Financial Statements 2022/23 have been prepared and were reported to Audit & Scrutiny Committee on 11th July 2023 and to Finance, Assets, Investments and Recovery Committee on 12th July 2023. The draft accounts are still subject to an external audit process. Until the audit is finalised the figures included within this report are provisional and could be subject to change. Any changes to the outturn will be reported back to this committee once the Annual Financial Statements 2022/23 have been audited.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved that:

The recommendation is for the report to be noted.

### **REASONS FOR RECOMMENDATIONS**

The Council is obliged under Section 151 of the Local Government Act 1972 to make proper arrangements for the management of its financial affairs.

## 90. Q1 2023.24 Budget Update Report

The purpose of the report was to set out the forecast revenue and capital budget positions as at quarter 1 for 2023/24 and to give an overall financial update for the Council.

The commentary of the report does not attempt to cover all budgetary changes but draws attention to the key factors affecting net expenditure differences.

The General Fund is forecasting a deficit of £554k, this is where there is more expenditure than income. The utilisation of reserves results in the working balance reducing by £443k to £2,431k. There is the option to utilise more earmarked reserves to keep the working balance higher.

The Housing Revenue Account (HRA) is currently forecasting a deficit position of £113k. In year pressures associated with the cost-of-living crisis in respect of repairs and maintenance have resulted in a negative forecast.

The majority of projects are forecast to complete with an expected delay in some projects resulting in a budgetary impact of £18.643m below the budget. At this stage, this underspend will be considered as slippage into next year's programme.

The current financial backdrop poses further financial risks to the Council's budget. It should be noted that the Local Government Association has issued a warning that 'soaring inflation, energy prices and National Living Wage pressures are putting council services at risk'. For Brentwood, there is further financial risks to pay inflation forecasts as well as cost pressures from the current high rates of inflation that cannot be quantified at this stage. The high inflation rates, increasing bank rates and national living wage pressure will have further impact onto the ongoing budgets.

Whilst the Council is not anticipating the need to reduce any services, the financial position will have to be monitored over the year and will make the Medium Term Financial Strategy (MTFS) even more of a challenge to deliver.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

The recommendation is for the report to be noted.

#### REASONS FOR RECOMMENDATIONS

Financial monitoring of the budget throughout the year complies with the duties under the Local Government Act 2003, the Housing Act 1985, the Local Government and Housing Act 1989 and the Local Government Finance Act 1992 and subsequent legislation.

## 91. Historic accounting for Minimum Revenue Provision

The report described an outstanding issue with the calculation of and accounting for Minimum Revenue Provision (MRP) for the period 2007/08 to 2011/12 and from 2017/18 onward. It also outlined the plan to resolve the matter with the involvement of the Council's external auditors, EY, and treasury advisors, Link Group.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

That the Committee notes this report.

#### REASONS FOR RECOMMENDATIONS

The outcome of the resolution of this technical matter could lead to a retrospective charge to the accounts of £0.640m and an ongoing increase in the MRP of £0.085m. This will be reflected in the 2021/22 final accounts, once audited.

## 92. Delayed audit of 2021/22 accounts

The report was a summary of the background and reasons for the delayed external audit of the 2021/22 accounts. The unaudited accounts were published in July 2022 but the audit is planned to complete in September 2023.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

That the Committee note this report.

#### REASONS FOR RECOMMENDATIONS

Local Government accounts have traditionally been completed in accordance with the law/statutory instruments. Timely finalisation enables transparency and ensures good governance. A variety of factors have disrupted the normal annual rhythm of this work. This report sets out some of those factors.

## 93. Vary the order of the agenda

Cllr Kendall **MOVED** to vary the order of the agenda and was **SECONDED** by Cllr Lewis to take Urgent Business ahead of the exempt items on the agenda.

## 94. Urgent business

The following report was brought together following the announcement of a consultation being undertaken by Greater Anglia Train operators along with other train operators on changes to the way tickets are sold in the future. This consultation includes the proposal to close the ticket offices at Shenfield and Ingatestone.

The consultation was announced on the 5<sup>th</sup> July 2023 and closes on the 26<sup>th</sup> July 2023.

Due to the timing of this announcement and the committee dates this item is before members as an urgent item and asks for consideration to make a response to the consultation on behalf of the Council.

Cllr Kendall asked for Mr Campbell to look into he timings of the station closures especially in Ingatestone with the station heavily used by the local High School.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

R1. That the Committee note the information and agree to respond to the consultation raising the Council's concern and objections to the proposals to shut the ticket office at Shenfield and Ingatestone stations as set out below:

"Brentwood Borough Council recognises, and generally shares the concerns raised by local rail users, community, disability and access groups surrounding safety, customer service, support for disabled users, anti-social behaviour and security regarding the proposed closure of the Shenfield and Ingatestone Railway Station Ticket Offices.

Alongside these shared concerns, we would like to highlight our objection to the very short consultation period which does not permit detailed engagement with our residents and businesses or give such representatives the chance to effectively respond in their own right.

We would also highlight that the negative effect any measure that makes our travel hubs less desirable will be highly significant to the Borough of Brentwood's economic development, and therefore will directly impact on our wider plans for investment in our local economy, housing development and community building efforts"

#### REASONS FOR RECOMMENDATIONS

Brentwood Borough Council believe the proposals by Greater Anglia will have a detrimental impact on members of our community who travel by rail from Shenfield and Ingatestone Stations, particularly those people with protected characteristics who may need additional support.

(Cllr Kendall declared a no pecuniary interest as the Chair of the Brentwood Bus and Rail Users Association.)

At 9.00pm, a vote was taken on Standing Orders and it was **UNANIMOUSLY AGREED** to extend the meeting for a further 30 minutes.

## 95. EXEMPT - Seven Arches Investments Limited Quarterly report

The public were excluded from the meeting for the item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 was involved.

A Motion was **MOVED** by Cllr Kendall and **SECONDED** by Cllr Lewis to agree the recommendation in the report.

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

(Cllr Bridge declared a non pecuniary interest due to working with a previous colleague who had a connection to a SAIL owned property.)

## 96. EXEMPT - Hutton Poplars Hall Lease Proposals

At 9.30pm, a vote was taken on Standing Orders and it was **UNANIMOUSLY AGREED** to extend the meeting for a further 30 minutes.

The public were excluded from the meeting for the item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 was involved.

A Motion was **MOVED** by Cllr Aspinell and **SECONDED** by Cllr Kendall to agree Option 2 for Recommendation 1 within the report.

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

At 10.00pm, a vote was taken on Standing Orders and it was **UNANIMOUSLY AGREED** to extend the meeting for a further 30 minutes.

## 97. EXEMPT - Strategic Outline Business Case - Depot Relocation

The public were excluded from the meeting for the item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 was involved.

A Motion was **MOVED** by Cllr Kendall and **SECONDED** by Cllr Lewis to agree the recommendation in the report.

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



# FINANCE, ASSETS, INVESTMENTS AND RECOVERY COMMITTEE 12 JULY 2023

REPORT TITLE:	Greater Anglia's Public Consultation on Train Ticket Office Closures
REPORT OF:	Greg Campbell, Director of Policy and Delivery

#### REPORT SUMMARY

The following report has been brought together following the announcement of a consultation being undertaken by Greater Anglia Train operators along with other train operators on changes to the way tickets are sold in the future. This consultation includes the proposal to close the ticket offices at Shenfield and Ingatestone.

The consultation was announced on the 5<sup>th</sup> July 2023 and closes on the 26<sup>th</sup> July 2023.

Due to the timing of this announcement and the committee dates this item is before members as an urgent item and asks for consideration to make a response to the consultation on behalf of the Council.

#### **RECOMMENDATIONS**

R1. That the Committee note the information and agree to respond to the consultation raising the Council's concern and objections to the proposals to shut the ticket office at Shenfield and Ingatestone stations as set out below:

"Brentwood Borough Council recognises, and generally shares the concerns raised by local rail users, community, disability and access groups surrounding safety, customer service, support for disabled users, anti-social behaviour and security regarding the proposed closure of the Shenfield and Ingatestone Railway Station Ticket Offices.

Alongside these shared concerns, we would like to highlight our objection to the very short consultation period which does not permit detailed engagement with our residents and businesses or give such representatives the chance to effectively respond in their own right.

We would also highlight that the negative effect any measure that makes our travel hubs less desirable will be highly significant to the Borough of Brentwood's economic development, and therefore will directly impact on our wider plans for investment in our local economy, housing development and community building efforts"

#### SUPPORT ING INFORMATION

#### 1.0 REASONS FOR RECOMMENDATIONS

Brentwood Borough Council believe the proposals by Greater Anglia will have a detrimental impact on members of our community who travel by rail from Shenfield and Ingatestone Stations, particularly those people with protected characteristics who may need additional support.

## 2.0 Background Information

Greater Anglia, along with most other train operators, is proposing changes to the way tickets are sold and customer service is provided at stations. A public consultation on these proposals started on the 5<sup>th</sup> July 2023 and closes on the 26<sup>th</sup> July 2023.

Greater Anglia have set out the following key elements to their proposal as follows:

- The plans would provide a more modern and flexible service for customers
- There would still be someone to help with ticket queries and information at all the stations covered by the proposals (with specific hours varying by station) and the ability for customers to speak direct to the Greater Anglia Customer Contact Centre in Norwich via a ticket machine for guidance or advice
- Passenger Assist arrangements would still apply, with additional mobile assistance teams providing extra support
- No station would become unstaffed as a consequence of the proposals and other station facilities, such as waiting rooms and toilets, would be unaffected.

Further they have informed the public of the detail and consequences of their proposal for Ingatestone and Shenfield which are set out below:

#### A, Ingatestone

Greater Anglia's proposal is that all ticket office windows at this station would close, with staff moving to other station areas, where they would be better placed to help customers buy tickets and provide expert travel advice and information.

Customers would still be able to buy tickets from the ticket machine and online (via our website and app), and colleagues would still be available at the station to help customers at certain times (as outlined below). Ticketing assistance would also be available directly from staff in Greater Anglia's Customer Contact Centre in Norwich, contactable via the ticket machine (24 hours a day).

Customer Information Centres at Chelmsford, and London Liverpool Street stations would sell a full range of products, as well as providing help with more complex transactions. Greater Anglia further propose that there would be a change to the hours staff would be available, with their presence focused on the busiest times. The proposed changes to hours would be as follows:

Days	Current Ticket Office Hours	Proposed station staffing hours
Monday to Friday	06:00 – 19:40	05:50 – 12:50
Saturday	06:00 – 12:45	05:50 – 12:50
Sunday	07:30 – 15:30	07:15 – 14:15

Station opening times would not change and customers would still have access to the same station facilities they do today.

Greater Anglia have confirmed that they would continue to meet all their commitments on providing accessibility for passengers, including passengers with reduced mobility and people requiring in-person assistance. Greater Anglia would also create additional mobile assistance teams, offering greater flexibility and support in providing assistance.

#### B, Shenfield

Greater Anglia propose that all ticket office windows at this station would close, with staff moving to other station areas, where they would be better placed to help customers buy tickets and provide expert travel advice and information.

Customers would still be able to buy tickets from the ticket machine and online (via our website and app), and colleagues would still be available at the station to help customers at certain times (as outlined below). Ticketing assistance would also be available directly from staff in Greater Anglia's Customer Contact Centre in Norwich, contactable via the ticket machine (24 hours a day).

Customer Information Centres at Chelmsford, and London Liverpool Street stations would sell a full range of products, as well as providing help with more complex transactions.

There would be no change to the hours that staff would be available, with a staff presence throughout the day. Those hours would therefore be as follows:

Days	Current Ticket Office Hours	Proposed station staffing hours
Monday to Friday	06:10 – 20:00	24 hours
Saturday	06:10 – 20:00	24 hours
Sunday	07:10 – 20:10	24 hours

Station opening times would not change and customers would also still have access to the same station facilities they do today.

Greater Anglia also state they would continue to meet all their commitments on providing accessibility for passengers, including passengers with reduced mobility and people requiring in-person assistance. Greater Anglia would also create additional mobile assistance teams, offering greater flexibility and support in providing assistance.

#### 4.0 FINANCIAL IMPLICATIONS

Name & Title: Tim Willis, Director – Resources & Section 151 Officer Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk

There are no direct Financial implications from this report.

#### 5.0 LEGAL IMPLICATIONS

Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer
Tel & Email 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk

N There are no direct Legal implications from this report.

#### 6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

None at this point

#### 7.0 RELEVANT RISKS

None at this point

#### 8.0 ENGAGEMENT/CONSULTATION

None at this point

## 9.0 EQUALITY & HEALTH IMPLICATIONS

Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk

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, including tackling prejudice and promoting understanding.

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).

Greater Anglia state that Passenger Assist arrangements would still apply, with additional mobile assistance teams providing extra support

#### 10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

Name & Title: Phil Drane, Director - Place Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk

There are no direct implications at this point.

REPORT AUTHOR: Name: Greg Campbell

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**APPENDICES** 

None

**BACKGROUND PAPERS** 

None

