

Minutes

Finance, Assets, Investment & Recovery Committee Wednesday, 20th December, 2023

Attendance

Cllr Kendall (Chair)	Cllr Laplain
Cllr Barber	Cllr Parker
Cllr Barrett	Cllr Poppy
Cllr Bridge	Cllr Worsfold

Apologies

Cllr Lewis

Substitute Present

Cllr Aspinell

Also Present

Cllr Dr Barrett
Cllr Mrs Pound
Cllr Sankey
Cllr Slade

Officers Present

Stuart Anderson	- Facilities Manager
Phoebe Barnes	- Director - Assets & Investments
Greg Campbell	- Director - Policy and Delivery
Zoey Foakes	- Governance & Member Support Officer
Claire Mayhew	- Acting Joint Director of People & Governance & Monitoring Officer
Jonathan Quilter	- Corporate Manager (Strategic Planning)
Jonathan Stephenson	- Chief Executive
Lauren Stretch	- Director of Housing
Steve Summers	- Strategic Director
Tim Willis	- Interim Director - Resources
Sam Wood	- Corporate Manager - Finance

LIVE BROADCAST

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

305. Apologies for absence

Apologies were received from Cllr Lewis with Cllr Aspinell substituting. It was **AGREED** that Cllr Laplain be Vice Chair for this meeting only.

306. Minutes of the previous meeting

The Chair confirmed that the first paragraph of Item 148 be removed as it was added in error.

The minutes of the Finance, Assets, Investment & Recovery Committee held on the 13th September 2023 were approved as a true record.

Matters arising:

Councillor Poppy had a query for the Chair about the Moody Report that was addressed at the 13th September 2023 FAIR meeting. Councillor Poppy said that at the SAIL AGM, when the Leader was discussing the financial position of the Council that he was worried about the debt position whereas at the previous FAIR meeting, the Chair was confident in the financial position – this caused confusion to Councillor Poppy. The Chair responded to mention that we had to look at things in the whole and the amount the Council has in assets versus debt. The Leader added that he stood by his previous comments.

Councillor Barber queried any update on the work needed at Hutton Poplar Lodge in order to bring the building back to a good state. Officers updated him that this is with our insurers serious damage team.

307. Chairs Update

The report began on page 17 of the agenda and highlighted the work the Officers have done.

The Chair added that a meeting with the Brentwood and Basildon NHS Alliance and the Chair will take place on 6th February 2024 to discuss Section 106 contributions.

Following a letter sent from the Leader of the Council regarding ULEZ, TFL have offered the Council a meeting to be arranged in early 2024.

308. Housing Debt Write Off

In July 2023 the Council introduced a new Former Tenant Debt Recovery Agency to assist with the collection of all former tenant debts. This triggered a review of all outstanding debts.

Following this review, a number of accounts had been identified as requiring write offs for debts where all avenues of recovery have been exhausted, the debt is statute barred (6 year old debt) rendering it unrecoverable for legal action or the debtor has passed away and there is no money in the estate to cover the debts.

The motion was MOVED by Cllr Kendall and SECONDED by Cllr Laplain.

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

**R1: To agree that the following debt amounts are approved for write off.
A: Former Tenant Debt £66,663.87 B: Temporary Accommodation Debt £122,607.67 C: Miscellaneous Debt £13,056 Total: £202,327.54**

REASON FOR RECOMMENDATION

Following a review of all former tenant debts. The below debts have been deemed to be unrecoverable for various reasons.

- 10 cases totalling £3691.33 are deemed statute barred. This means they are older than 6 years and officers have been unable to progress to the legal stage of collection.
- 275 temporary accommodation cases between 2004-2017 totalling £122,607.67 are deemed statute barred. This means they are older than 6 years and Officers have been unable to progress to the legal stage of collection.
- 18 cases totalling £12,329.16 are deceased residents where there is no money left in the estate to cover the rent debt left on the account.
- 50 cases totalling £50,643.38 are where all avenues of recovery and tracing of the person have failed by our specialist debt recovery agency and therefore are deemed uncollectable.
- A single miscellaneous case of shared equity loan under recovery totalling £13,056.
- The overall debt write off figure being proposed is £202,327.54
- By writing these debts off officers can focus on the recovery of the debts we are able to redeem and work more efficiently.

309. Planning Obligations Supplementary Planning Document (SPD)

The draft Planning Obligations Supplementary Planning Document (SPD) was first brought to the Planning, Resources and Economic Development Committee on 23 November 2022 before being published for public consultation. Since then, the Planning Policy team has considered the comments received from the consultation and some minor amendments have been made. Officers are seeking approval to formally adopt the final version of the Planning Obligations SPD.

The Planning Obligations SPD will sit alongside the Brentwood Local Plan 2016- 2033 and provide additional guidance on the council's approach towards seeking planning obligations required to make development schemes acceptable in planning terms. It identifies topic areas where planning obligations may be applicable depending on the scale of development and sets out the required obligations or contributions. Once adopted the SPD will be a material consideration in respect of all relevant planning applications.

Members thanked the work of the Planning Policy Team for this work undertaken.

The motion was MOVED by Cllr Kendall and SECONDED by Cllr Laplain.

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

R1. Adopt the Planning Obligations Supplementary Planning Document (Appendix A).

REASON FOR RECOMMENDATION

The Planning Obligations Supplementary Planning Document (SPD) (Appendix A) will provide more detail and clarity in respect of policies within the adopted Brentwood Local Plan 2016-2033 that refer to the circumstances where planning obligations may be appropriate. This in turn will assist the decision-making process when considering and determining planning applications. It will also provide consistent and clear advice to applicants on what might be required from them

310. OneTeam Transformation Programme - Strategic Partnership with Rochford District Council - Quarter 3 Update

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

On 26 January 2022, Extraordinary Council resolved to agree the Strategic Partnership between Brentwood Borough Council and Rochford District Council (RDC) and appointed Jonathan Stephenson as the Joint Chief Executive for both councils. Work then commenced on developing this partnership.

The report sets out progress of the OneTeam programme development in the 3rd quarter of the second year of this roadmap, from August 2023 to October 2023.

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

311. Fees & Charges

Fees and charges made by the Council for various services are reviewed on an annual basis by the relevant Committee relating to the services provided.

Recommended amendments to the fees and charges are incorporated into the budget setting process to take effect from the following financial year.

The motion was **MOVED** by Cllr Kendall and **SECONDED** by Cllr Laplain.

Cllr Kendall requested a recorded vote which was agreed by Cllrs Barrett, Worsfold, Aspinell and Laplain.

FOR: Cllrs: Kendall, Barrett, Bridge, Laplain, Poppy, Worsfold and Aspinell (7)

AGAINST: (0)

ABSTAIN: Cllrs: Barber and Parker (2)

The recommendations were **RESOLVED:**.

To agree to the proposed charges for 2024/25 as attached in Appendix A-D subject to the annual budget setting process.

REASONS FOR RECOMMENDATION

To ensure that adequate resources are provided to ensure services delivered are maintained.

To ensure that the Council's Parking & Asset management strategy reflects current best practice and provide a robust and defensible policy framework.

312. Treasury Management Review

The report set out the findings of the Council's treasury management advisors, Link, in respect of a review of the Treasury Management Strategy.

The Council has, over recent years, embarked upon an ambitious capital investment programme that has necessitated significant treasury management activity, including sizeable borrowing. A report was commissioned from the local government experts in this field (Link) to report back on this activity – both in terms of the Council's performance and its current compliance with best practice.

The Chair acknowledged and thanked Alistair Greer, a big part of the Finance Team who helps answer the technical questions on treasury management. Alistair is leaving the Council for a job closer to home so we wish him all the luck in the future. The committee thanked Alistair for his outstanding contribution to the Council in his 8 years working for us.

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

313. P8 2023.24 Budget Update Report

The purpose of the report is to set out the forecast revenue and capital budget positions as at period 8 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 balanced budget, this means the income generated covers the council's expenditure. The result of a balanced budget is the general fund working balance will remain unchanged.

The Housing Revenue Account (HRA) is currently forecasting a surplus position of £717k. The main cause of this underspend is due to utility bills falling. We are predicting an underspend of £644k for premises related costs, £423k specifically for utility bills. If this £717k underspend materialises it will increase the HRA's working balance or held in to reserves to pay for future developments. The Director of Housing and CLT are exploring ways to prioritise some urgent works in 23/24 to reduce this underspend by 31st March 2024.

The overall capital programme is forecast to underspend by £40mil. £20mil of this is due to the delays around the Regeneration Fund. The total underspend will be considered as slippage into next year's programme unless projects are specifically removed from the 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 statement "The lack of funding for local services in the Autumn Statement has left councils facing a growing financial crisis and 1 in 5 council leaders & CEO are very or fairly likely to issue a section 114 in this or next financial year". This statement can be found on LGA website: www.local.gov.uk.

For Brentwood, there are further financial risks to pay inflation forecasts as well as cost pressures from the current high rates of inflation. The high inflation rates, increasing bank rates and national living wage pressure will have further impact on 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 for 2024/25 and beyond even more of a challenge.

The Chair thanked the work of Sam Wood and the finance team for this work.

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

314. Urgent business

There were no items of urgent business. The Chair closed the meeting to the press and public.

315. 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.

The report was for information only and no voting was required.

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

The meeting concluded at 8.22pm.