

Minutes

Ordinary Council Wednesday, 4th February, 2015

Attendance

Cllr Mrs Davies (Mayor)	Cllr Lloyd
Cllr Keeble (Deputy Mayor)	Cllr Mrs McKinlay
Cllr Aspinell	Cllr Morrissey
Cllr Baker	Cllr Mrs Murphy
Cllr Barrett	Cllr Mynott
Cllr Chilvers	Cllr Dr Naylor
Cllr Clark	Cllr Newberry
Cllr Cloke	Cllr Parker
Cllr Mrs Cohen	Cllr Quirk
Cllr Mrs Coe	Cllr Reed
Cllr Faragher	Cllr Russell
Cllr Mrs Hones	Cllr Ms Sanders
Cllr Hossack	Cllr Sapwell
Cllr Mrs Hubbard	Cllr Sleep
Cllr Kendall	Cllr Mrs Squirrell
Cllr Kerlake	Cllr Tee
Cllr Le-Surf	

Apologies

Cllr Carter	Cllr Hirst
Cllr Mrs Henwood	Cllr McCheyne

Officers Present

Ben Bix	Corporate and Democratic Services Manager
Jo-Anne Ireland	Acting Chief Executive
Chris Potter	Monitoring Officer & Head of Support Service
Jean Sharp	Governance and Member Support Officer

435. Apologies for Absence

Apologies were received from Cllrs Carter, Mrs Henwood, Hirst and McCheyne.

All present observed a minute's silence in tribute to Richard Harrison who died in January, having previously served as a ward councillor for Ingatestone, Fryerning and Mountnessing from 1992 until 2011.

436. Mayor's Announcements

The Mayor recounted some of the engagements she had undertaken since the 10 December 2014 Ordinary Council meeting.

437. Minutes of the previous meetings

RESOLVED to approve as a true record the minutes of the Ordinary Council meeting and the Extraordinary Council meeting both of which took place on 10 December 2014.

438. Questions from the Public

Two questions were received from Mrs Gearon-Simm, as follows:

1. *"Before Hutton Community Centre needed major refurbishment, why had the building been allowed to deteriorate so badly?"*

(NB This question was re-submitted since a formal response was not given at the 10.12.14 Council meeting):

Cllr Aspinell responded as follows:

"Since I have been in office I have understood more about Hutton Community Centre its problems, its future, its past and more than I needed to.

I believe the eye was taken off the ball and an eagerness to acquire Hutton Community Centre and in doing so some checks that should have happened were not completed and therefore there was no one in authority to stop or enforce and prevent the vandalism taking place. This is something I regret as a member of the council and the former lease have wholeheartedly apology that they were let down.

I cannot say for definite as I was not in the position to take authority".

2. *"Some tenants renting from private landlords in Brentwood are in receipt of Housing Benefit.*

How many of the properties in which these tenants live have been inspected by Brentwood Borough Council to find out if the properties are fit for purpose?"

In Cllr Carter's absence, Cllr Mrs Davies responded as follows:

“Environmental Health Services investigate complaints concerning living conditions from tenants living in the privately rented sector which could result in a property inspection to determine fitness for human habitation. If remedial action is necessary the landlord would be required to take action. The Essex Landlord Accreditation Scheme is being set up to promote and encourage landlords of privately rented homes to manage their properties to a high standard. We are expecting to be in a position to launch this scheme with private landlords in Spring 2015. Whether the tenant is in receipt of housing benefit is irrelevant to ensuring that their living conditions are of an acceptable standard and therefore this information is not recorded”.

3. Mrs Hickman submitted a question as follows:

“Hutton Community Centre, which was built by Hutton Community Association members, sits on land passed to Brentwood Borough Council by the Greater London Council in 1989.

Under the lease for the building, Brentwood Council were obliged to routinely inspect the Centre and issue any advisory notices to the Lessees covering maintenance work the authority considered to be required.

Can the Leader please advise how many inspections were undertaken by this authority from 1989 to date and can he please confirm that all documents relating to these inspections will be made available for public viewing”.

Cllr Lloyd read aloud Cllr Aspinell’s response, as follows:

“Thank you for your question. It refers to a lease dated 1989 but in fact that was a Deed of Variation dated 7th August 1989 in relation to an additional parcel of land adjoining the Hutton Community Centre, Brentwood for a proposed extension. It was supplemental to a lease dated 6th March 1974 between the Greater London Council and the trustees of Hutton Community Association. The Council is the successor in title to the former Greater London Council.

The lease dated 6th of March 1974 was for a term of 60 years from 24 June 1971 in respect of land at Harrison Close, Hutton and enabled the Lessor under clause 3(d) to view the condition of the property at all reasonable times and required the lessees under clause 3 (g) to yield up the premises “so well and sufficiently repaired” etc.

As far as can be ascertained an inspection by this Council took place on 3rd July 2012 which resulted in a condition report with costs and photographs being produced on 13th August 2012 and there are no written records for any other inspection.

It is confirmed that these documents relating to the inspection can and will be made available for public viewing”.

439. Memorials or Petitions

Cllr Aspinell submitted a petition to the Mayor relating to residents' opposition to the proposed closure of the post office in Harewood Road, Pilgrims Hatch.

440. Members' Questions on Chairs' Reports

Chairs' reports were before Members and no written questions had been received.

Oral questions were put and responded to by relevant Chairs.

441. Constitution Update

Members received a report to update them on the present review of the Constitution.

Under section 9P of the Local Government Act 2000 the Council was under a statutory duty to keep its Constitution under review so as to keep it up to date. This review was currently being undertaken by the Council's Monitoring Officer in conjunction with members of the Constitution Working Party.

Cllr Lloyd MOVED and Cllr Mynott SECONDED the recommendations in the report and following a discussion and a vote taken on a show of hands it was RESOLVED UNANIMOUSLY:

- 1. To note the progress made.**
- 2. That the Action Plan and Timetable be agreed, in principle.**

442. Appointment of an Interim Chief Executive and Designation as Head of Paid Service

The report before Members related to the proposal to appoint an Interim Chief Executive for Brentwood Borough Council and to designate an Officer of the Council as the Council's Head of Paid Service.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED the recommendations within the report and the Motion was debated.

Cllr Mrs McKinlay MOVED and Cllr Parker SECONDED an AMENDMENT to the Motion. A vote was taken on a show of hands and the Motion was LOST.

Returning to the substantive Motion, Cllr Lloyd proposed the addition of the word 'Interim' which was agreed by Cllr Aspinell.

A vote was taken on a show of hands and it was RESOLVED:

1. To approve the interim appointment of Graham Farrant as Chief Executive and designate Graham Farrant as the Head of Paid Service with effect on and from 1 March 2015, shared with Thurrock Council.

2. To note that Jo-Anne Ireland will return to her substantive role as Director of Strategy and Corporate Services on and from 1 March 2015.

(During the discussion, Cllr Kendall declared a non-pecuniary interest under the Council's Code of Conduct by virtue of being a member of Essex County Council).

443. Pay Policy 2015/16

The report before Members related to the proposed Pay Policy 2015/16 which was appended to the report for Members' consideration. In accordance with Section 38(1) of the Localism Act 2011 the Council needed to approve the Pay Policy annually.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED and it was RESOLVED UNANIMOUSLY to agree the 2015/16 Pay Policy Statement as set out in Appendix A to the report.

444. Appointment of Electoral Registration Officer, Deputy Electoral Registration Officer and Returning Officer

Members were reminded that the Council must appoint named individuals to the roles of the Electoral Registration Officer, Deputy Electoral Registration Officer and Returning Officer.

The report before Members was to confirm and make the appointments to these roles.

Cllr Aspinell MOVED and Cllr Lloyd SECONDED the recommendations within the report and it was RESOLVED UNANIMOUSLY that:

1. Jo-Anne Christine Ireland be confirmed and appointed as the Registration Officer under section 8 of the Representation of the People Act 1983.

2. Carole Yvette Tatton-Bennett be confirmed and appointed as the Deputy Registration Officer under section 52(2) of the Representation of the People Act 1983.

3. Jo-Anne Christine Ireland be confirmed and appointed as the Returning Officer under section 35 of the Representation of the People Act 1983.

445. Notices of Motion

Three Notices of Motion had been submitted in accordance with the Council's procedure rules.

Cllr Kendall submitted the following motion:

1. "Brentwood Borough Council seeks to reverse the impact of Essex County Council's Part Night Street lighting policy within the Brentwood Borough by requesting that Essex County Council finds the sum of £63,000 per annum (identified by Essex County Council as the amount saved by the night time switch off of the Borough's lights) to enable the Brentwood street lights to remain on all night.

This Council believes that the safety of Brentwood pedestrians, motorists and residents living in fear of crime need to come first and calls on the County Council to get our streets lights back on as quickly as possible.

This Council also calls on Essex County Council to ensure that the Brentwood Borough is included in the next phase of LED lighting that is going to be rolled out across the County".

Cllr Aspinell SECONDED the Motion and following a full discussion a recorded vote was requested in accordance with Rule 9.5 of the Council's Procedure Rules. Members voted as follows:

FOR: Cllrs Aspinell, Baker, Barrett, Chilvers, Clark, Cloke, Mrs Coe, Mrs Cohen, Mrs Davies, Mrs Hones, Hossack, Mrs Hubbard, Keeble, Kendall, Le-Surf, Lloyd, Morrissey, Mrs Murphy, Mynott, Newberry, Quirk, Russell, Ms Sanders, Sapwell, Sleep, Mrs Squirrell and Tee (27)

AGAINST: Cllrs Faragher, Kerslake, Mrs McKinlay, Dr Naylor, Parker and Reed (6)

ABSTAIN: (0)

The MOTION was CARRIED.

Cllr Kendall submitted the following motion:

2. *“Brentwood Borough Council is very concerned to hear that the Mid Essex Clinical Commissioning Group (MECCG) has decided to close the Walk in Medical Centre at Springfield in Chelmsford. This Centre whilst not in our Borough has been extremely well used by residents from the mid Essex area including some from Brentwood. The closure of this Centre will only result in more patients having to use the Accident & Emergency Department at Broomfield Hospital which is exactly what the walk in Medical Centre was designed to avoid. With this increase in the number of people visiting the Broomfield Hospital site including a number from Brentwood this Council calls for an assurance that there will be adequate healthcare capacity available, improved parking provision and a full review of car parking charges with a view to them being reduced’.*

The Council therefore requests that the Acting Chief Executive writes to the MECCG expressing our concerns about the closure of the Walk in Medical Centre and asks for an urgent response on the health capacity and car parking issues”.

Cllr Mrs Hubbard SECONDED the Motion and following a full discussion a vote was taken on a show of hands and the Motion was CARRIED.

Cllr Aspinell submitted the following motion:

3. *“That in order to protect the environment, this Council seeks clarity on all applications involving construction traffic and new or improved accesses for development so as to secure reinstatement of any damaged highway or public realm surface areas, including photographic surveys prior to development , and work with the County Council to promote a local Code of Practice to advise developers and their subcontractors which can be incorporated into standard conditions where appropriate”.*

Cllr Baker SECONDED the Motion and following a discussion a vote was taken on a show of hands and the Motion was CARRIED.

446. Urgent Business

There were no items of urgent business.