

Minutes

Ordinary Council Wednesday, 19th July, 2017

Attendance

Cllr Russell (Mayor)	Cllr Kerlake
Cllr Mrs Murphy (Deputy Mayor)	Cllr McCheyne
Cllr Aspinell	Cllr Mrs McKinlay
Cllr Barrett	Cllr Mrs Middlehurst
Cllr Bridge	Cllr Morrissey
Cllr Clarke	Cllr Mynott
Cllr Chilvers	Cllr Newberry
Cllr Cloke	Cllr Parker
Cllr Mrs Coe	Cllr Poppy
Cllr Mrs Davies	Cllr Mrs Pound
Cllr Hirst	Cllr Reed
Cllr Mrs Hones	Cllr Ms Rowlands
Cllr Hossack	Cllr Ms Sanders
Cllr Mrs Hubbard	Cllr Tumbridge
Cllr Keeble	Cllr Wiles
Cllr Kendall	

Apologies

Cllr Barrell	Cllr Mrs Slade
Cllr Faragher	Cllr Mrs Squirrell
Cllr Mrs Fulcher	Cllr Trump

Also Present

Darren Horseman - PCC

Officers Present

John Chance	-	Finance Director (Section 151 Officer)
Philip Ruck	-	Chief Executive
Steve Summers	-	Group Manager In House Services
Daniel Toohey	-	Monitoring Officer
Claire Mayhew	-	Governance and Member Support Officer

75. Apologies for Absence

Apologies had been received from Cllrs Barrell, Faragher, Mrs Fulcher, Mrs Slade, Mrs Squirrel and Trump.

76. Declarations of Interest

No declarations of interest were made at this stage of the meeting.

77. Mayors Announcements

The Mayor recounted some of the engagements he had undertaken since his appointment at Annual Council on 17 May 2017.

78. Police & Crime Commissioner for Essex Presentation

The Police and Crime Commissioner (PCC) for Essex, Cllr Roger Hirst, made a presentation to Members, focusing on matters of joint interest between the Council and the PCC Office, particularly in relation to community safety.

Cllr Hirst responded to Members' questions and requested that any further queries be sent to him via email. The Mayor thanked Cllr Hirst for his informative presentation.

79. Minutes of previous meetings (25.1.17 and 1.3.17) and Annual Council

The minutes of the Ordinary Council meeting held on 25 January 2017 and Annual Council meeting held on 17 May 2017 were approved as true records.

The minutes of the Ordinary Council (Budget) meeting held on 1 March 2017 were approved subject to the inclusion of an acknowledgement that Cllr Mrs Hubbard had submitted a petition regarding Warley Playing Fields.

80. Leader's Statement (deferred from Annual Council)

Members were reminded that the Leader's Statement was deferred to this meeting from Annual Council due to that meeting taking place within the pre-election period.

Cllr Mrs McKinlay made her statement and acknowledged that through sound financial management and a skilled and dedicated workforce the difficult budget challenges faced by the authority for the move to self financing had been well handled. Therefore she was pleased to announce that subject to formal agreement at October's Full Council meeting, all staff would receive a one-off payment of 1% of their individual annual salary, apart from the Chief Executive.

Leaders of the opposition groups, Cllrs Aspinell and Barrett, and independent Member Cllr Keeble responded to the Leader's statement.

81. Public Questions

No questions from the public had been received.

82. Memorials or Petitions

No notices of memorials or petitions had been received.

83. Committee Chairs Reports and Members Questions

In accordance with the Council's Constitution, a brief written report by each committee Chair covering their area of responsibility was included in the agenda.

Any Member was entitled to ask a Chair a written or oral question on

- (a) Any matter included in a Chair's written report
- (b) Any matter in relation to which the Council has powers or duties or which affected the Council's area and which fell within the area of responsibility of the Chair's committee.

No written questions had been received before the prescribed deadline and the Chairs responded to oral questions put to them by Members.

Cllr Aspinell referred to his position as a member of the Town Hall Scutiny working group and requested advice as to whether this would prejudice his position in terms of further decision making. The Monitoring Officer agreed to contact Cllr Aspinell outside the meeting.

84. Appointment of representatives on Outside Organisations

Following a change to the Council's Constitution in January 2017, Councillors were now appointed to a number of outside organisations by Ordinary Council. Many of the outside organisations supported and advanced the broad objectives of the Authority. Representations came about either through the Authority initiating the appointment, or an organisation requesting a representative being nominated or a Charity Commission rule that a Council representative was appointed.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendation in the report that the nominated representatives set out in Appendix A be approved.

One change of nomination was proposed (Cllr Mrs Davies to replace Cllr Chilvers for Tenants Talkback), Cllr Cloke informed the Council that at the recent Montbazon AGM the required representation from the Council has been reduced to 4.

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

RESOLVED UNANIMOUSLY that, subject to the change above,

The list of outside bodies and nominated representatives/point of contact for 2017/18 attached as Appendix A be approved.

(For clarity the approved list is attached to these minutes).

The Chair of the Conservators of Shenfield Common had requested that the Council ratify the appointment of a new Conservator following a resignation.

Cllr Russell **MOVED** and Cllr Wiles **SECONDED** that Mrs Debbie Foster should replace Ms Scholfield as a Conservator of Shenfield Common. A vote was taken on a show of hands and Mrs Foster's appointment was **RESOLVED UNANIMOUSLY**.

85. Notices of Motion

Seven notices of Motion had been received.

1. Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** his first Motion as follows:

'The War Memorials Listing Project

This Council notes:

1. In 2014, to mark the centenary of the outbreak of the First World War, Historic England embarked upon a five-year project to add 2,500 war memorials to the List (officially known as the National Heritage List for England).

2. The Government is funding this project through the Department for Culture, Media and Sport.

3. That no War Memorial is currently listed in the Borough of Brentwood.

This Council believes:

1. War memorials provide us with an enduring link to those hundreds of thousands who gave their lives in the First World War.

2. Further they remain a lasting tribute to all those who have been lost in service of their country and community.

Therefore this Council:

1. Will seek urgent listing of the War Memorial on Shenfield Road, Brentwood.

2. That further investigate all other War Memorials in the Borough for listing, to assist in achieving Historic England's ambition of listing 2,500 War Memorials.'

Following a debate a vote was taken on a show of hands and the **MOTION** was **CARRIED UNANIMOUSLY**.

2. Cllr Mrs Hubbard **MOVED** and Cllr Keeble **SECONDED** the following Motion:

'For Brentwood Borough Council to adopt the International Holocaust Remembrance Alliance definition of antisemitism

This council expresses alarm at the rise in antisemitism in recent years across the UK. This includes incidents when criticism of Israel has been expressed using antisemitic tropes. Criticism of Israel can be legitimate, but not if it employs the tropes and imagery of antisemitism.

We therefore welcome the UK Government's announcement on December 11th 2016 that it will sign up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism which define antisemitism thus:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

The guidelines highlight manifestations of antisemitism as including:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.*
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.*
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.*
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).*
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.*
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.*
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.*
- Applying double standards by requiring of it behaviour not expected or demanded of any other democratic nation.*
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.*
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.*
- Holding Jews collectively responsible for actions of the state of Israel."*

This Council welcomes the cross-party support within the Council for combating antisemitism in all its manifestations. This Council hereby adopts the above definition of antisemitism as set out by the International Holocaust Remembrance Alliance and pledges to combat this pernicious form of racism.

Following a debate a vote was taken on a show of hands and the **MOTION** was **CARRIED UNANIMOUSLY**.

3. Cllr Aspinell **MOVED** and Cllr Mrs Davies **SECONDED** the following Motion:

"Brentwood Borough Council resolves to establish a LATCO that specifically deals with delivering affordable rented housing opportunities across the Borough for all Brentwood residents, particularly our young people, key workers and the elderly, which will provide a valuable source of income for our Council funds".

Following a debate a vote was taken on a show of hands and the **MOTION** was **LOST**.

4. Cllr Chilvers **MOVED** and Cllr Keeble **SECONDED** a Motion as follows:

'On 31st May 2017, after over 15 years of making Brentwood Council open and transparent to its residents, webcasting ceased.

Although it is understood that the contract has ended and the intention is to start it up in the future, there are many important decisions to be made over the coming months and it is important to ensure that our democracy can be viewed on demand by everyone who wishes to see it.

These days, we do not have to rely on a webcasting company to host our meetings. Indeed, facilities such as Facebook Live can be used now to promote proceedings. Therefore, this council will work towards having an interim solution in place to broadcast its meetings by the first meeting in September'.

Following a discussion, Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** an **AMENDMENT** which was **ACCEPTED** by Cllr Chilvers.

A vote on the substantive motion was taken on a show of hands and it was

RESOLVED UNANIMOUSLY:

'On 31st May 2017, after over 15 years of making Brentwood Council open and transparent to its residents, webcasting ceased.

Although it is understood that the contract has ended and the intention is to start it up in the future, there are many important decisions to be made over the coming months.

These days, we do not have to rely on a webcasting company to host our meetings. Therefore, this council will work towards having an interim/cost effective solution in place to record its meetings as soon as possible.'

5. Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the following Motion:

'Empty Homes Discount

This Council notes:

- 1. From 1 April 2013, billing authorities in England took on an additional power over certain council tax discounts. "Unoccupied and substantially unfurnished" properties may receive a discount of between 0% and 100% of their council tax.*
- 2. That this Council currently offers a 100% discount for a property that is habitable, unoccupied and unfurnished for a maximum of 3 months*
- 3. That this measure imposed a financial burden of more than £70,000 in the 2016/17 financial year.*

This Council believes:

- 1. The Council should offer discounts and exemptions as appropriate to the genuine need of residents, set in a manner that is both fair and seeks to discourage properties being left empty,*
- 2. That it is appropriate to consider this discount, and all discounts offered, in a regular process of review.*

Therefore this Council:

- 1. Will commission officers to investigate, and offer proposals for this discount and other discretionary discounts, to the Policy, Finance & Resources committee as part of the process in developing the Budget for 2018/19.'*

Following a discussion during which Cllr Tumbridge **MOVED** and Cllr Hirst **SECONDED** to proceed to the next item of business, a vote was taken on a show of hands and the **MOTION** was **LOST**.

6. Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the following Motion:

'This Council notes:

- 1. From 1 April 2013, billing authorities in England took on an additional power over certain council tax discounts.*
- 2. That this Council currently offers a 10% discount where the property is furnished and classed as a second home.*

This Council believes:

- 1. The Council should offer discounts and exemptions as appropriate to the genuine need of residents, set in a manner that is both fair and seeks to discourage properties being left empty,*

2. *That it is appropriate to consider this discount, and all discounts offered, in a regular process of review.*

3. *That this specific discount is not necessary or appropriate in the current financial climate and as such should be removed for the 2018/19 financial year.*

Therefore this Council:

1. *Removes the Second Home Discount for the 2018/19 financial year, giving fair warning of the change to all current beneficiaries, and the Budget for 2018/19 is composed with this as an element.'*

Cllr Mrs McKinlay had submitted a proposed amendment in accordance with Procedure rule 3.14 and following a debate on the Motion Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the **AMENDMENT** which Cllr Barrett **DID NOT ACCEPT**.

The **AMENDMENT** was debated, a vote was taken on a show of hands and the **AMENDMENT** was **CARRIED**.

A vote was taken on a show of hands on the **SUBSTANTIVE MOTION** and it was **RESOLVED UNANIMOUSLY**:

This Council notes:

1. From 1 April 2013, billing authorities in England took on an additional power over certain council tax discounts.
2. That this Council currently offers a 10% discount where the property is furnished and classed as a second home.

This Council believes:

1. The Council should offer discounts and exemptions as appropriate to the genuine need of residents, set in a manner that is both fair and seeks to discourage properties being left empty,
2. That it is appropriate to consider this discount, and all discounts offered, in a regular process of review.
3. That this specific discount **should be reviewed and reconsidered as part of the 2018/19 budget, taking into account the financial pressures on local government.**

Therefore this Council:

1. Will review and reconsider the discount as part of the 2018/19 budget setting process.

7. Cllr Barrett **MOVED** and Cllr Morrissey **SECONDED** the following Motion:

'Procurement Procedures and Tax Evasion

This council notes that:

- *corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid*
- *this is costing the UK as much as £30bn a year*
- *this practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.*

This council further notes that:

- *the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14 (PPN 03/14). This applies to all central government contracts worth more than £5m.*
- *the existence of voluntary schemes promoting tax compliance such as the Fair Tax Mark, which can serve as an independent means of verification.*
- *the 2015 Public Contract Regulations which state (in section 4) that local government can choose to adopt Procurement Policy Note 03/14.*

This council believes:

- *that bidders for council contracts should be asked to account for their past tax record, using the higher standards in PPN 03/14.*

Therefore the council will

- *Amend procurement procedures to require all companies bidding for service contracts worth more than £15,000 and for works contracts worth more than £250,000 to self-certify that they are fully tax-compliant in line with central government practice using the standards in PPN 03/14, applying to contracts of the size specified above.*
- *publicise this policy and to report on its implementation annually to Policy, Finance & Resources Committee'*

In accordance with Procedure Rule 10.2, Disposal of remaining business, the Motion was put to the vote without debate.

A vote was taken on a show of hands and the **MOTION** was **LOST**.

86. Urgent Business

There were no items of urgent business.

The meeting concluded at 22.13