

## **Report to the Council 18 October 2017**

**Committee: Audit**

**Chair: Councillor Roger McCheyne**

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### **Audit Committee 27<sup>th</sup> September 2017**

#### **Regulation of Investigatory Powers Act 2000**

The report sought approval to amend the Corporate regulation of Investigatory Powers Act 2000 (RIPA) Policy in order to address use of social networking sites by local authorities. It was also noted that there were no RIPA or covert human intelligence sources (CHIS) authorisations used between August 2014-September 2017 and there was one data matching exercise conducted during the last year.

#### **Internal Audit Progress Report 2017/18**

The report detailed the progress to date against the 2016/17 (now completed) and 2017/18 internal audit plans that were agreed by the Audit and Scrutiny Committee in March 2017.

The following reports had been completed since the last Committee and a summary of the findings were included in the progress report:

- Housing Service (with completed action plan) (2016/17) (limited assurance)
- Main Financial Systems (2016/17) (moderate assurance)
- Insurance (2017/18) (moderate assurance)
- Community Halls Viability (2017/18) (limited assurance)

#### **Final Statement of Accounts 2016/17**

The report presented the Audit results report 2016/17 from the Councils External Auditors – Ernst Young. The report was positive highlighting a few minor misstatements that were corrected by management.

One unadjusted audit difference was highlighted which is not material and will be addressed in the next financial year.

Value for money audit identified additional significant risk in relation to contract management and risk management, however external auditors explained management is already making good progress in these areas.

An unqualified audit opinion was given by the auditors on the statements showing the statements represent a true and fair view of the Council position.

The report presented the final Statement of Accounts 2016/17 and approved by members.

Since the committee, external auditors have formalised their opinion and the Accounts have been signed by the chair of the committee and relevant officers and published by the deadline.

### **Strategic & Operational Risk Review**

The report updated Members of the Audit Committee on the status of the Council's 2017/18 Strategic Risk Register and the progress being made across services in delivering Operational Risk registers.

It was noted that one new strategic risk had been added – Non compliance by existing third party contractors to the council with the principles of the Data Protection Act 1988.

One risk was reduced: Information Management & Security – following newly adopted policies.

The members agreed the revised Insurance & Risk Management Strategy relating to its annual review.

## **Report to Ordinary Council 18 October 2017**

### **Committee: Community Health and Housing**

**Chair: Councillor Chris Hossack**

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#### **Leisure Strategy**

It was agreed by Policy, Projects and Resources Committee that the Leisure Strategy work be split into three phases and that the Corporate Projects Scrutiny Committee set up a working group to scrutinize the work in each phase and make recommendations back to the Community Health and Housing Committee.

Phase 1 - includes King George's Playing Fields, Warley Playing Fields and the Council's Community Halls.

Phase 2 – includes the Play Areas and options for ongoing maintenance

Phase 3 – includes the Brentwood Centre and provision for sport/leisure across the Borough

An update report was presented to the Corporate Projects Scrutiny Committee on 25 September detailing the progress to date and the recommendations to the Community Health and Housing Committee.

A feasibility study on the Community Halls is due to come back to the Policy, Projects and Resources Committee.

Meetings have also taken place with Shenfield Cricket Club and Brentwood Youth AFC looking at their facilities.

#### **Commissioning Prospectus**

A report was presented to the 18 September Community Health and Housing Committee setting out the services that the Council would like to commission the Voluntary and Community Sector to provide from April 2018 – March 2020. Currently these are provided by Citizens Advice Brentwood, Brentwood Council for Voluntary Services and Brentwood Community Transport

#### **Community Events**

##### Family Fun Days

The Family Fun Days were very successful this year. The Council delivered a total of six this summer, three at King George's Playing Fields and also at West Horndon Park, Seymour Field in Ingatestone and Hutton Recreation Ground. Officers have estimated that 8,000 people attended the events in the Summer and officers have requested the providers to submit feedback from the events.

### Lighting Up Brentwood

This event is to take place on Saturday 25 November 2017 between 1.00 and 5.30pm. Confirmed activities include the main stage, a number of walkabout acts and an ice rink together with the usual stalls selling crafts and hot and cold food.

### Shenfield Christmas Fayre

This event is to take place on Sunday 3 December 2017 between 12 midday and 5pm. Confirmed activities include a main stage, ice rink, snow globe, Italian Market and stalls selling hot and cold food.

A report will come to the 4 December Community, Health and Housing Committee meeting with an evaluation of the 2017/18 events and a suggested Events Plan for 2018/19. Any fees and charges in relation to the events will also be reviewed in a separate report and as part of the annual budget setting process.

### **Brentwood Community Fund**

The Community Fund has now closed to applicants and officers are currently reviewing and assessing the applications. A report will be brought to the 4 December Community Health and Housing Committee with recommendations to Members for the allocation of funding.

### **Mental Health Small Grants scheme**

The Mental Health Small Grants scheme has now closed to applicants and officers are currently reviewing and assessing the applications. A report will be brought to the next Health and Wellbeing Board.

### **Active Brentwood**

Active Brentwood Sports Awards are on the 8 November and will be held at the South-East Essex Golf Club.

### **Staff Health and Wellbeing Engagement Champions**

Officers are currently working with Provide to promote health and wellbeing for Council staff and facilitating workshops offering health checks and lunchtime activity sessions.

### **Community Safety**

**Engagement Days** – Continuing our engagement programme with the public at least 2 times a month. The engagement days revolve around a particular topic such as fire safety, fraud, senior safety, Essex Community Message system and more. The CSP and NHW have a stall in the libraries, Baytree Centre, High Streets (Brentwood, Shenfield and Ingatestone) and are sometimes accompanied by other agencies, such as Essex Police, Essex Fire and Rescue and various others. All agencies provide a variety of safety advice to the public as well as answer questions.

**Senior Safety Roadshow** – The roadshow continues to grow from strength to strength. It's a real partnership project involving Essex Police, Essex County Fire & Rescue Service, NHW, Home Instead and Age UK. The partnership is still delivering roadshows to nurseries, care homes, schools and groups with disabilities. The partnership will also be visiting victims of burglary and supplying information and advice.

**Firebreak** – A funding bid to Essex County Fire and Rescue Service was successful. A date will be arranged so that another firebreak course can be delivered this financial year. The course is for 12 students and will be available for schools.

**Gang Prevention Work** – Bespoke gang awareness sessions and 1-2-1 support for young people and their families has started in local secondary schools. Every school in Brentwood has been offered the bespoke sessions and 1-2-1 support. Approximately 6 secondary schools have taken up the offer of one or both services available.

**Life Choices** – Life Choices has been running for 6 weeks. Reach Every Generation have been funded to lead on the project seeing students from Brentwood schools taking part. The course tackles issues in relation to gangs, sexual health, ASB, drug and alcohol and more.

**ASB issues** – There has been some excellent work by the CSP, CCTV and Essex Police to deter anti social behaviour and driving in William Hunter Way car park. Warning letters have been sent to drivers as well as police action including issuing S59 Notices. A Public Spaces Protection Order has been drafted and submitted to legal for approval. The Order will cover the Town Centre to include William Hunter Way, the High Street and multi storey car park. It aims to tackle a number of issues from anti-social driving, aggressive begging, use of gas canisters, anti-social behaviour and more. There has also been a rise in issues across the borough involving nuisance motorbike and mopeds. We have been working with police colleagues and as a result 4 motorbikes were recently retrieved from Woodland Avenue. We are continuing to work with internal departments and Essex Police on identifying those involved in nuisance behaviour and taking robust action including tenancy enforcement.

**Community Safety Accreditation** was successfully awarded to the Council by Essex Police. We are currently working on vetting for staff from various service areas including Community Safety, Housing, Environmental Health, depot, CCTV, and Community Services. Once the vetting is completed and staff receive the training they will become accredited officers with similar powers to that of a Special Constable and will therefore improve the Council enforcement opportunities. These officers will also be supplied with body worn cameras and dash cams for when those officers are out of the office.

**Speedwatch** – The CSP organised a Brentwood Community Speedwatch Week which took place at the start of September. Volunteers from the community visited 5 different sites over 5 days, concentrating primarily around schools. Approximately 50 people were caught exceeding the speed limit.

**Chelsea's Choice** – Chelsea's Choice is an Applied Theatre Production based on real-life stories in raising awareness around child sexual exploitation, trafficking, healthy relationships, safe internet use and the grooming process. Chelsea's Choice will be going in to 5 schools in Brentwood.

**School Roadshow** – The CSP, NHW, Essex Police and Essex County Fire and Rescue Services will be visiting schools and nurseries with a police car and fire truck and speak to the students about saying safe, speeding and what it means to work for the partners.

**Phoenix Radio** – The CSP and partners have a regular slot on Phoenix Radio on the first Thursday of each month at 1pm. Each show will have a different guest from the CSP from Community Safety, NHW, Essex Police, Crimestoppers etc...

At the meetings of the Community, Health and Housing Committee on 19th June and 18th September the following reports were considered:

### **Empty Homes**

Members recommended to identify and prioritise empty properties within the Borough and in September approved a draft Empty Homes Strategy outlining measures to reduce the number of empty homes in the Borough, reporting back to future Committees with updates on progress.

### **Better Care and Disabled Facilities Grant Funding**

Options on using funding received from NHS England through the Better Care Fund were considered and the Committee resolved to investigate potential solutions to utilise the available funds to support vulnerable residents in the Borough.

## **Report to the Council – 18 October 2017**

**Committee: Corporate Projects Scrutiny**

**Chair: Councillor Jan Pound**

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### **Corporate Projects Scrutiny (CPS) meeting 25 September 2017**

#### **Leisure Strategy Working Group**

The Committee reviewed the work from the first two meetings of the Leisure Strategy Working Group and concluded that further information was required to be fully able to scrutinise the work that had been undertaken to date. A further report will be made to the next committee meeting in December.

#### **Town Hall – Temporary Customer Services and Members Portal**

The Committee considered the work from the working group who had met and reviewed the proposed arrangements for temporary customer services whilst the Town Hall was being redeveloped and the new Members Portal.

The committee noted the findings of the working group in relation to both matters.

#### **Work Programme 2017/18**

The Committee considered its work programme for the coming year and noted that following the Policy, Projects and Resources Committee on the 19<sup>th</sup> September this now included the scopes for the Local Development Plan and Town Centre Working Groups. It was also agreed that further details on the dates working groups would be reporting back to the committee would be required.





## Report to the Council 18 October 2017

### Committee: Environment and Enforcement

Chair: Councillor Keith Parker

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At the first meeting of the Environment and Enforcement Committee on 28<sup>th</sup> June the following reports were considered:

#### Performance Presentations

Members were updated on service requests and a breakdown of enforcement actions taken on fly-tipping and environmental crime.

Environmental Health had undertaken three recent prosecutions of fly-tipping offences in the Borough with fines totalling £3727 in one case.

Receipts from fixed penalties issued have been used to produce leaflets on householders Duty of Care on Waste which were delivered to all households with the Council Tax bills.

#### Essex Countywide Traveller Unit (ECTU) and Open Space Protection Measures

The Committee approved the proposed increase in ECTU membership fees due to the enforcement costs of dealing with encampments.

The protection measures carried out on land owned by the Council have helped to reduce the number of unauthorised incursions on Council land this year:

Jan – 30 <sup>th</sup> August	2016/17	2017/18	
Number of incursions	21	20	5% reduction
Incursions on BBC/Parish Council land	16	10 Brentwood Centre 3 Shenfield Common 2 Parish Council land 1	37.5% reduction
Average no. of days on BBC land (incl. Parish Council & Shenfield Common)	8	3	62.5% reduction
Total no. of days of all unauthorised incursions in Borough	173	89	48% reduction
Police used s.61	4	11	175% increase

## **Enforcement in the Council**

A proposal to establish a Corporate Enforcement Team in the Council was approved and the Chief Executive has now appointed a General Manager, Tracey Lilley, and a Deputy Manager David Carter to lead the team.

## **Cleaner Greener Groups Campaign - #CrimeNotToCare**

On Friday 8th September 2017, Officers held a successful roadshow as part of the #CrimeNotToCareCampaign- located adjacent to Chapel High Ruins, High Street, Brentwood, where Officers from The Depot built up a fly tip including old mattresses, fridges, tyres, wooden pallets etc to demonstrate the visual impact of fly tips that are unfortunately on the increase. The Campaign run by a partnership of Local Essex Authorities and Keep Britain Tidy launched the campaign on 4<sup>th</sup> September for 6 weeks to tackle the epidemic of fly-tipping which is costing Essex taxpayers over £1 million each year with an awareness campaign.

The campaign aims to reduce the amount of household waste that is fly-tipped by rogue traders, who offer to take people's rubbish away for money and then dump it. The campaign will hammer home the message that even if a resident gives their waste to a third party to dispose of, they can end up with a criminal record and hefty fine if it is fly-tipped.

The Road show/fly tip was attended by Officers from The Depot and Environmental Health to talk to residents about fly tipping and duty of care. The Leader, Deputy Mayor and Chair of Environment and Enforcement Committee attended alongside a few other Members who popped by to support the event. The waste on display was a third of what has actually been collected from fly tips in the Borough this week and it was certainly a talking point with many passers-by stopping to take pictures and ask questions about it!

The campaign has had plenty of media interest and our own event was on BBC East news with the Leader doing an interview and a radio interview and press photo's

Environmental Health will be undertaking a 'Stop and Search' operation at some point in the campaign with the Police.

## **Road shows**

Officers held four Recycling Roadshows during Sept and October giving out helpful tips, information about hiring garden waste bins, and stocking up on free recycling sacks and food waste bags.

Coming up we have our Christmas Recycling Road shows, where the team will be out and about to assist residents with advising what can be recycled or reused after the Christmas Festivities, for helpful recycling tips, advice on Christmas tree recycling and enabling them to stock up on free recycling sacks and food waste bags for the extra recycling that the Christmas festivities bring.

- Wed 6th December – Christmas Recycling Road Show at Ingatestone Library, Ingatestone High Street, Ingatestone between 9 – 11am
- Friday 8th December – Christmas Recycling Road Show at land adj to Chapel High Ruins, High Street, Brentwood between 11am – 1pm
- Tuesday 12th December – Christmas Recycling Road show at Brentwood Centre, (foyer), between 11am – 1pm
- Friday 15th December – Christmas Recycling Road Show at land adj to Chapel High ruins, High Street, Brentwood between 11am – 1pm
- Monday 18th December – Christmas Recycling Road show in Shenfield Library, Shenfield between - 10am and 12 noon.

### **Neighbourhood Action Team**

The current NAT's team Rota finishes on Friday 27<sup>th</sup> October 2017 and a new Rota will be circulated to all Members and Parish Clerks prior to this date. The new Rota will be slightly different in format; we are going to do first five weeks then have a 'catch up week' then proceed to next five weeks in the wards, and then a further 'catch up week' then the last five weeks in ward. The reason for this is often the tasks given are lengthy, and the team are not always able to be complete before moving into the next ward; by having a catch-up week in-between we will have the opportunity of returning and completing any outstanding tasks. The Neighbourhood Action team are also needed for Educational visits to schools for litter picks for example, and for helping set up with road shows etc which all need to be programmed in.

Members are requested to use the NAT's template request form and send lists in entirety rather than lots of separate emails and forward to [nats@brentwood.gov.uk](mailto:nats@brentwood.gov.uk)



**Report to Ordinary Council - 18 October 2017**

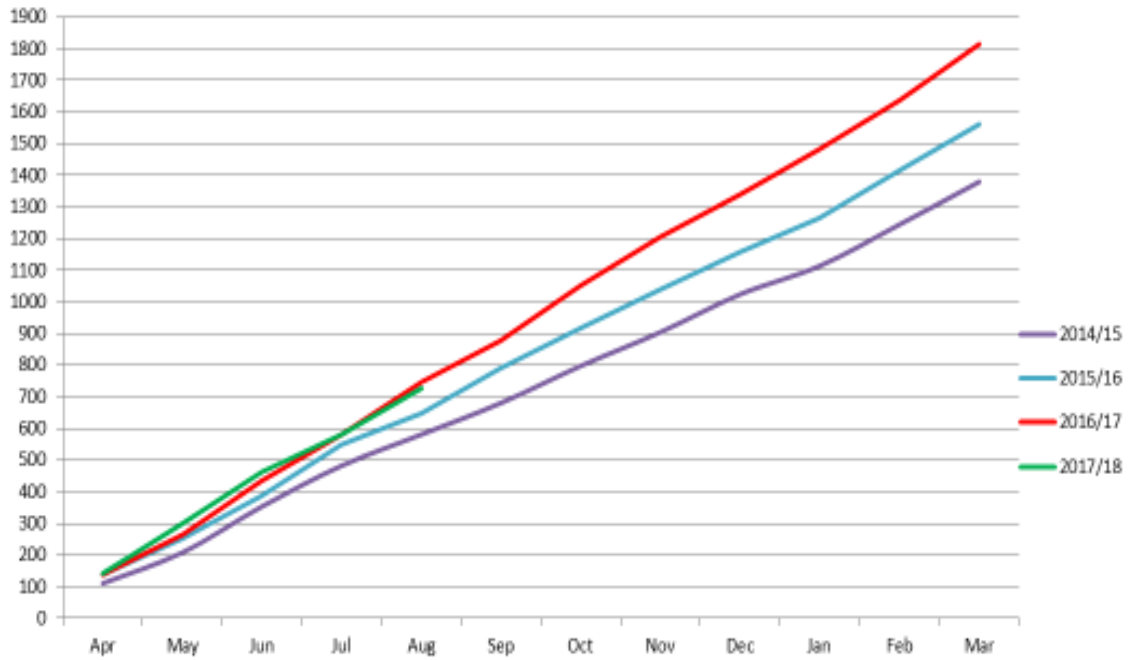
**Committee: Planning and Licensing Committee**

**Chair: Cllr Olivia Sanders**

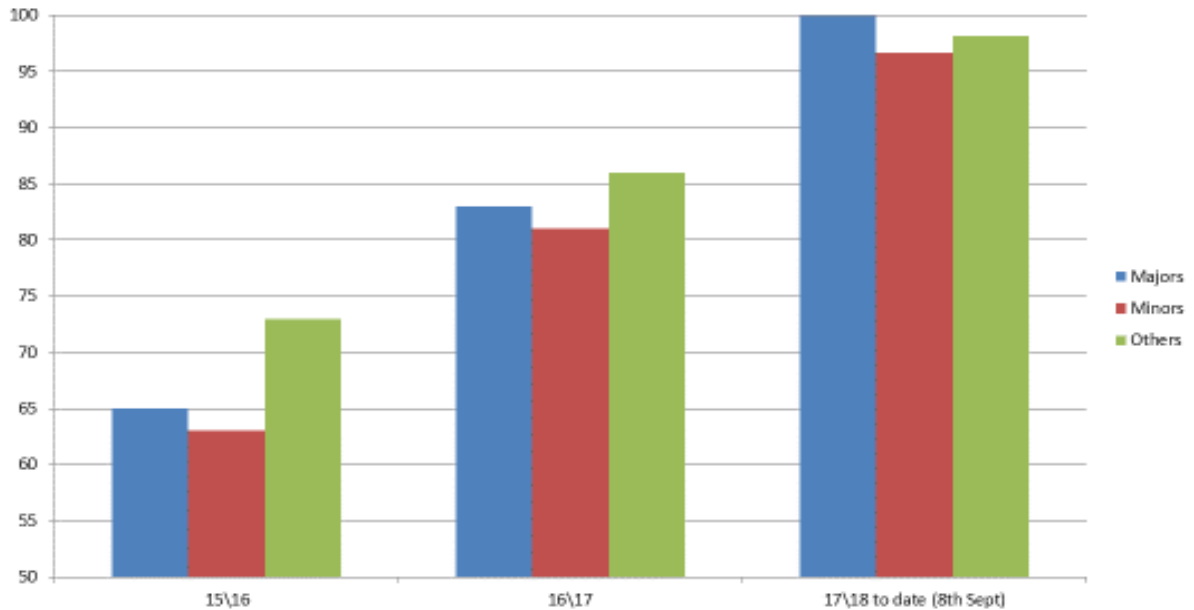
**Development Management:**

Performance continues an upward trajectory, with the number of applications received higher than in previous years and the number decided within time at the highest level recorded for the department (see tables below). The performance in determining applications in a timely manner is currently the eighth best in the country.

Number of applications



## Speed of determination



Application and appeal performance is comfortably above the new national requirements to be introduced next year. Recruitment of staff is well underway with interviews about to take place for planners and assistant planners and this process is likely to continue through to the end of the next quarter following the departure and imminent departure of two senior planners and a senior enforcement officer. The first session of a series of planning training and workshops for Members has taken place with a further two scheduled during November and December. A further planning agent's meeting has taken place with another scheduled for October, providing valuable feedback for the department and engaging with key stakeholders by the end of the year. Agents indicate that they appreciate our new improved ways of working and improvements to the system of preapplication advice.

### **Strategic Planning & Economic Development:**

Work continues to prepare a new Local Development Plan for the Borough. Progress has been made compiling elements of supporting evidence to inform strategy and decisions. The Government recently announced consultation proposals that include a standard method for calculating housing need, among other things central to LDP

preparation. The Team is considering the proposals and will prepare a consultation response for the Council to debate. In light of this information a revised LDP timetable and supporting documentation will be required, which will be brought to the Council for approval in November. The scope for LDP Member Working Group scrutiny was recently approved, and so the group will soon meet to review.

In order to maximise coverage of the Brentwood Town Centre Design Plan work the final document will be launched at our 2017 Business Showcase event on 1<sup>st</sup> November. This sets the overarching strategy for how development opportunities in the Town Centre could come forward to the overall benefit of the area, with a specific focus on Council-owned land as well as the Baytree Centre. A framework is provided for additional sites that may come forward in future. To provide more detail work is progressing to produce an accompanying Town Centre Design Guide, providing the Council with up-to-date planning policy guidance and an important link to the LDP. Work to prepare development briefs for Council owned sites in the Town Centre is now also underway following the decision to consult with the market made at Policy, Projects and Resources Committee in September, under the corporate asset development programme. Also approved was the scope for scrutiny to be undertaken by the Town Centre Member Working Group, and so the group will soon meet to review.

Efforts to organise a bigger and better Brentwood Business Showcase are progressing well. The event will take place on Wednesday 1<sup>st</sup> November with a quality line-up of speakers, showcasing successful Brentwood businesses and global names like Microsoft and Google Garage, among others. A revamped website is now live, providing people with more information and the opportunity to book a free visitor place. I would encourage all Members to support the event by attending for the day – it will be an excellent opportunity to learn from expert speakers; apply practical lessons in business and life at workshop sessions; and network with local and national businesses, as well as other community organisations.

**Licensing:**

It has been a quiet time for the Licensing Committee for the first two thirds of 2017, with continued work being undertaken in preparation to present reports, which will include the revision of Licence fees and many of the taxi policies; in the second half of this year.

Complaints of Uber vehicles operating in the Borough over recent months has been increasing, whilst lawful if booked through the Uber app concerns are being raised of their impact on local businesses. The situation is being monitored by the Licensing Team, who are liaising with TFL and Uber over local concerns.

Proactive inspections are being re-introduced for licensed premises to ensure compliance with licence terms and conditions, a particular focus on has been on Gambling Premises and those making up Brentwood's Late Night Economy.



## **Report to the Council 18 October 2017**

### **Committee: Policy, Projects and Resources**

**Chair: Councillor Louise McKinlay**

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### **Policy, Projects and Resources Committee 18<sup>th</sup> July 2017**

#### **Parking**

The report advised Members of the proposed changes to parking tariffs and parking orders subject to public consultation.

#### **Data Act Protection Act 1988 – New Policies**

The report asked for 6 new policies to be approved in order to be compliant with the Data Protection Act 1988 together with delegated authority for officers to make any necessary adjustments. This is prudent given that there have been cases where Councils who have not taken such steps have paid the price financially and in terms of reputation. By taking these measures ongoing business risk to Brentwood Borough Council is now reduced.

#### **Asset Review Update**

Brentwood Borough Council is now much better informed as a result of the on-going Asset reviews. The Non-Housing Asset (General Fund) register requested approval to upgrade two systems – the Argus Management System and the Geographical Information System. Work is also ongoing regarding the statutory declaration land Assets which are parcels where the Council does not hold the deeds. In these cases it will be necessary to prove to the Land Registry that the land is indeed owned by Brentwood Borough Council.)

(Once the database is fully operational a full and proper review of ALL assets can be undertaken. From this individual business cases will be proposed in detail with income generation opportunities prioritized.

### **Policy, Projects and Resources Committee 19<sup>th</sup> September 2017**

#### **Parking Strategy Update**

A full structural survey of the The Multi Storey Car Park highlighted concrete cancer and other problems that needed a two-phase full repair and refurbishment programme which started in March 2016. The report requested authority to put out a tender for the next stage of refurbishment as outlined in the structural engineer's report. A life care plan for the future maintenance, repair and regular inspection of the MSCP was also agreed.

Raising parking charges, while protecting residents from some of these increases with planned residential permits, has to follow a legal process which includes making changes to the Parking Order (as outlined in the report) The changes will of course see an increase in revenue generated from parking which is was highlighted in the Budget and is imperative to helping the Council close the central government funding gap. On a practical side the actual layout and spaces available within the MSCP need to be changed to some degree so the report requested that 3 bay parking unit on decks 12,13 & 14 of the MSCP be converted to 2 bays.

### **Less the Best Consideration Policy Amendment**

The “Less than Best” consideration policy was agreed at Committee on March 27, 2015. The report requested amendments to this so there is some delegated authority to determine whether a new lease – granted under the Less Than Best policy – comes inside or outside the Landlord & Tenant Act 1954.

### **Warley Scout Lease – Amendment to the Heads of Terms approved at Committee in February 2016.**

This item was deferred to the next Committee meeting to allow further discussion to take place with the Scouts.

### **Seymour Pavilion and Playing fields**

(Brentwood Borough Council is a custodian of the community and its assets and has a duty to aid the various villages and Parish Councils whenever possible to ensure that residents can access and make the most of the great green spaces we have.

The Seymour Pavillion and playing fields come under Ingatestone & Fryerning Parish Council and BBC granted a new 25 year lease to ensure its future for all to enjoy. Furthermore it will continue to be managed by the community for the community.

### **Corporate Projects**

The key Corporate Projects were regularly reported to the appropriate committee within the council. The report looked at the Town Centre Redevelopment and the Local Development Plan which are arguably the largest and most important projects the Council has seen. The timelines and scope are not set in stone simply because the Council must ensure that all avenues are explored and considered, legal recommendations reviewed and an overarching scheme which offers the very best for residents put in place. This being the case Members asked the Corporate Projects Scrutiny Committee to look at these two projects and report back to the appropriate committee.

## **2017/18 General Fund and Housing Revenue Budget Monitoring Update**

The Council is on target to meet its original budget in both the Council's General Fund Revenue Budget and the Housing Revenue Account based on the projected outturn position for 2017/18 (Up until August 31, 2017).

Prudence is the key to shoring up this success whilst ensuring that this priority does not blind the Council to potential income generating opportunities. Looking at the Treasury Management Position the report outlined the need to investigate the addition of Property Funds to the list of approved investment instruments subject as always to balancing any level of risk involved.

### **Brentwood Asset Development Programme**

In the current climate there is no point in having Assets unless their potential are considered in an income generating and capital resource capacity. The BADP has laid the groundwork for a truly in depth assessment of what opportunities might be feasible both short term and long term.

An Hybrid approach was agreed as the best way forward as this matches and complements the Council's overall vision and objectives. This route will bring together options for the Council to develop smaller sites under its own steam and bring on more complex sites with a single joint venture development partner.

As a relatively small borough council with strong ambitions there will be times when we must accept that we may not have the skills in house to bring our goals to fruition. As a result, the next stage in this project will be to go out to the market and learn how the Council can engage with external partners and maximise the Council-owned Assets.

The individual projects and relationship proposals will be looked at by the Project Board with that board's recommendations then brought back to committee for consideration. It is apparent that part of this will require an appropriate investment vehicle to bring it all together. Approval was therefore sought to allow officers to look at what type of investment vehicles there are and which might best suit the Council's needs. The result of this considerable overarching work is that the Council is now in a fit and healthy position from which it can move forward, capitalize on its assets and bring income generation to fruition.