

Minutes

Policy, Resources & Economic Development Committee Wednesday, 11th September, 2019

Attendance

Cllr Tumbridge (Chair)	Cllr Kendall
Cllr Mrs Hones (Vice-Chair)	Cllr Mynott
Cllr J Cloke	Cllr Poppy
Cllr Hossack	

Apologies

Substitute Present

Cllr Dr Barrett
Cllr S Cloke

Also Present

Cllr Reed
Cllr Jakobsson
Cllr Keeble
Cllr Kerlake
Cllr Mrs Pearson
Cllr Mrs Pound
Cllr McCheyne
Cllr Naylor
Cllr Parker
Cllr Ms Sanders
Cllr Tanner

Officers Present

Phoebe Barnes	-	Corporate Finance Manager
Greg Campbell	-	Director of Operations
Paula Harvey	-	Interim Head of Legal Services & Monitoring Officer
Steve Summers	-	Interim Chief Executive
Jacqueline Mellaerts	Van	Director of Corporate Resources
Russell Clinker	-	Senior Asset Manager
Philip Drane	-	Director of Strategic Planning

Chris Leslie	- Executive Director of Commercial Services
Tracey Lilley	- Interim Director of Housing & Enforcement
Claire Mayhew	- Corporate & Democratic Services Manager

163. Apologies for absence

Apologies were received by Cllr Barrett and Cllr Dr Barrett substituting. Cllr Lewis and Cllr S Cloke was substituting.

164. Minutes of the previous meeting

The minutes of the Policy, Resources & Economic Development Committee held on the 10th July 2019 were approved subject to an amendment to the attendance list to state that apologise that were received by Cllr Barrett and that Cllr Morrissey was present as a substitute.

The chairman asked the clerk to amend these minutes before they are signed as a correct record.

Matters arising in relation to the previous meeting of Policy, Resources and Economic Development Committee.

- Officers Media Protocol to come back to the next meeting of Policy, Resources and Economic Development Committee.
- Consultation on the Member's Portal to be reviewed and circulated. It was delayed because the consultation would be better suited to occurring in September instead of August due to the holiday period.
- Cllr Hossack referred to page 25 minute 124 – Town Hall Lease arrangement for Residential Units. He requested an update of the leasing of the units within the Town Hall be provided and clarification on the number of lets and leases agreed to date. Written response from the CEO will be provided to all Members.
- The Chairman asked why the consultation on the Town Hall leases with the Chairman and Deputy Chairman had not occurred, and for an update, officers apologises for failing to consult as required under the Resolution, and will now do so.
- The Chairman requested that the Website Access Regulation are put into the Committee Forward Plan in advance of September 2020 when the regulation will come in effect for existing Local Authority websites.
- Officers were asked about the paper requested in July on on the Freedom of Information Software processes and the policy, officers apologised, and it will come to the next Policy, Resources and Economic Development Committee Meeting.

- Whistleblowing Policy to be brought to the next meeting of Policy, Resources and Economic Development Committee.
- Officers were asked about the paper requested in July on the processes and compliance in regard to Revenue and Benefits, officers apologised, and it will come to the next Policy, Resources and Economic Development Committee Meeting.

The Chair, informed the members of the new report template, that will be used now for all committee meetings going forward, and the added focus on economic development.

165. Information Governance Policies

A report was offered outlining additional policies to embed compliance going forward, along with refreshing existing policies.

After a full decision on the content to the report and the appendices. The report and its appendices were rejected as not fit for use Members asked for a revised report be brought back to the next Policy, Resources and Economic Development Meeting.

166. Data Protection Compliance

Members considered a report on progress regarding data protection compliance. The former Regulatory and Governance committee on 6th March 2019, had received a report that the Council was making good progress in improving and embedding its processes, but there was more to do, and the committee received an update on that workstream.

The Council continues to strengthen and improve its processes in relation to the Data Protection Act 2018. Key areas of progress since the previous report include the reviewing/updating of policies; rolling out Data Protection training to Members; providing Members training workshops; ensuring new starters complete the mandated Data Protection Training before system access is set up and to undertake Data Protection Audits across the Council.

At the time of writing this report, the Council is in a good position to evidence compliance with its data protection responsibilities. Robust data protection policies and procedures are in place and implementation is closely monitored.

There have been no data breaches which required reporting to the ICO. All SARs have been completed within the statutory timeframe. Staff undertake mandatory training and maintain a good level of awareness of data protection responsibilities across the Council.

Members were assured that insurance was in place to cover them and co-opted members for data protection both when dealing with council matters and when dealing with outside bodies for the council.

Members training will take place in the new Member's Training Programme for November 2019 - May 2020, that was agreed at the previous Policy, Resources and Economic Development Meeting in July 2019.

Cllr Tumbridge informed the committee this was an information only item and members requested the following:

- That the Committee be updated on actions taken by the Council in relation to the Data Protection Act 2018.
- That the current training needs improvement.
- All contracts are to be reviewed for compliance.
- The Committee should be updated on the changes to the incident reporting process.

167. Economic Development Update

This report provided information to the Policy, Resources and Economic Development Committee minute 121, the 10 July 2019, on economic data for the borough, such as:

- i) List of the largest companies by turnover;
- ii) List of the largest non-domestic rate payers;
- iii) Employment figures by sector;
- iv) Updated retail audit of the Brentwood town centre.

The Leader, Cllr Hossack drew the Members of the Committee attention to the new Economic Development Implications that have been added to each report going forward.

Concerns from members were expressed relating to retail within the whole Borough, not just the Brentwood Town Centre and the Parking Strategy.

After a full discussion, Cllr Kendall **MOVED** and Cllr Mynott **SECONDED** an amendment to the recommendation to state:

“We call upon the Economic Development Officer to put together a Brentwood Town Centre Action Plan to address the economic concerns of many of our retailers”.

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

The Chairman asked why the resolution requiring consultation of the Chairman and Deputy Chairman on the commissioning of a report had not occurred, and why no report had been commissioned as required by the resolution at the July meeting of the Committee. Officers apologised.

The Chairman explained to members the resolution would be used now to commission a report focused on the economic development of the whole borough, and most likely with a focus on how we can better use our planning function in support of that aim.

- Members noted the economic data provided.
- Officers will now consult as required and commission the report as required.

Reasons for Recommendation

It is important to share economic data to inform Councillors about current situations and trends within the borough to inform the aims and objectives of a new economic development strategy for the Council.

(Cllr Hossack declared a non-pecuniary interest by the virtue of Pension with Ford Motor Company and a Director of Brentwood Ursuline Convent High School)

168. Local Development Plan Update

Brentwood Borough Council published its Pre-Submission Local Plan (Regulation 19) in February 2019. Processing and consideration of representations received is nearing completion (Regulation 20). A summary of representations has been prepared (Appendix A). Approximately 800 respondents have made just over 4,000 representations. Over half of all representations received are regarding site allocations and a substantial number of these are focussed on sites situated in the Blackmore and Shenfield areas.

Amendments to the Local Plan relating to the quantum of residential dwellings proposed on specific sites are now being proposed (Appendix B). This is based on the representations received in response to the Regulation 19 consultation in early 2019. The amendments involve the reduction of 70 residential dwellings over four identified allocations within the Plan and reallocating these to be delivered at Dunton Hills Garden Village. These amendments would not result in any changes to the overall strategy or total provision of dwellings set out in the plan.

It is recommended that the proposed amendments are subject to a focussed consultation. As a result of this additional consultation an updated Local Development Scheme (LDS) needs to be approved. The National Planning Policy Framework (NPPF) requires local planning authorities to produce a Local Plan for their area and maintain an up-to-date timetable. Delivery of the Plan against the published timescales is monitored by the Ministry of Housing, Communities and Local Government.

As part of the plan-making process a revised Local Development Scheme (LDS) timetable has been prepared (Appendix C). This provides an update to the currently published version, approved in November 2018.

A revised report and appendices are appended to this minutes.

After a full discussion, Cllr Dr Barrett **MOVED** and Cllr Kendall **SECONDED** an amendment to reduce section B, C and D to zero under paragraph 17 (Appendix B) of the report.

A request from Cllr Kendall for a recorded vote was refused.

Therefore, a vote was taken by a show of hands and was **LOST**.

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report.

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

- To approve the list of proposed amendments to the Brentwood Pre-Submission Local Plan (February 2019), as set out in Appendix B;
- To delegate to the Director of Strategic Planning in consultation with the Leader, Chair & Deputy of PRED to carry out any necessary local consultation on these amendments; and
- To approve the Revised Brentwood Local Development Scheme (September 2019), as set out in Appendix C.

Reasons for Recommendation

Based on the representations received to the Pre-Submission Local Plan consultation a view could be taken that it is appropriate to review the need for amendments to the Local Plan in advance of submission, specifically regarding relevant site allocations. These amendments were small and therefore did not constitute a major change requiring further consultation, however, some limited focused consultation will occur in order to assist the plan to be submitted to the Inspector, as specified in Planning Practice Guidance (Paragraph 054, Reference ID 61-054-20190315, Revision Date 15/03/19).

It is necessary to have an up-to-date LDS. Delivery of the Plan against the published timescales is monitored by the Ministry of Housing, Communities and Local Government. The revised LDS set out in Appendix A sets out an updated position regarding anticipated timeframes and documents to be produced, such as final stages of the Local Plan and design guidance for Dunton Hills Garden Village.

169. Termination of Meeting

At 9.00pm, in accordance with Rule 10.1 of the Council procedural rules, Members **RESOLVED** to continue the meeting for a further 30 minutes.

170. Development of Green Initiatives

This report moves forward the recommendations of the PRED Committee held on the 10th July 2019 Min 114 refers, which agreed to report back to this committee the:

- (i) use of lighting solutions to save energy & money in council buildings
- (ii) installation options on car charging points at council owned properties
- (iii) what green focused businesses are in the borough
- (iv) how we reduce non-recyclable plastic use.

Work on the above 4 items has progressed. This report contains information on these matters, next steps and recommendations.

Cllr Mynott **MOVED** and Cllr Kendall **SECONDED** an amendment to recommendation 3 to state:

- That following procurement, delegated Authority be given to the Interim Chief Executive and S151 Officer in consultation with the Chair, Vice Chair of the PRED Committee and Leader of the Council and leaders of the opposition groups to:
“approve a provider of a pilot scheme to introduce electronic vehicle (EV) chargers to the Town Hall Car parks based on delivery option 2 or 3 para 18 which will also include the delivery of a feasibility study to consider the delivery of EV charging points across the borough”.

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

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report.

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

- To note the report and that ongoing work regarding the lighting solutions and Green Businesses will be reported as and when necessary to the appropriate committees.
- That the recommendations to reduce single use plastics by Brentwood Borough Council will be implemented.
- That following procurement, delegated Authority be given to the Interim Chief Executive and S151 Officer in consultation with the Chair, Vice Chair of the PRED Committee and Leader of the Council to:
“*approve a provider of a pilot scheme to introduce electronic vehicle (EV) chargers to the Town Hall Car parks based on delivery option 2 or 3 para 18 which will also include the delivery of a feasibility study to consider the delivery of EV charging points across the borough*”

Reasons for Recommendation

This will develop the Councils Green agenda and work towards reducing effects on the environment, CO2 emissions and the climate.

171. Whole Council Elections

At the last Policy, Resources and Economic Development Committee, on 10th July 2019, the recommendation was for a detailed paper with financial consequences of a four year election cycle and the steps required to move from 1/3 to all out elections to be brought to the next Policy, Resource & Economic Development Meeting in September.

Officers have collated as much further information as possible within the timescales available.

The previous report stated a “The typical cost to the Council of a combined election is £60,000; the cost of a single Borough Council election is £90,000”. This was due to Brentwood Borough Council have been advancing £60,000 every year for the election cycle. Further investigation by officers have since found that high level costings of a Local Election to the council is £75,000, Single or Combined.

Currently high-level costings assume whole council elections would cost in the region of £94,000 per cycle. Potentially this option would generate a saving in the region of £116,000 and £145,000 over a four-year cycle (£29,000-£36,250 pa). However, further investigation and analysis would need to be conducted by officers to ensure assurance on these financial proposals. A detailed business case would need to be worked through if members sought.

This report advises the Committee of its power to change its electoral scheme to whole council elections. Brentwood Borough Council operates an election scheme by thirds, this means a third of councillors are elected every year in a four-year cycle, with no election in the fourth year. Brentwood Borough Council have one seat up for election in 12 or 13 wards (depending on the year). If the council moved to whole council election, every seat would be elected every four years in all 15 wards.

In the year Brentwood Council implement Whole Council Elections there would be an additional £20,000 pressure. This is due to the Council would have budgeted for a ‘Third election’ at a cost of £75,000 as opposed to a ‘Whole Election’ which costs £95,000. Therefore, no saving would be realised until 2024. The risk of holding additional standalone By Elections, due to the longer gap in Local elections, would be greater. This would be an additional cost to the council, that would reduce any saving.

In order to resolve to change its electoral cycle, the Council must:

- a) Have taken reasonable steps to consult such persons as it thinks appropriate on the proposed change; Other authorities undertaking such a change have held an ‘online’ consultation for six weeks.

- b) If an Ordinary Council is not available, then convene an extraordinary meeting of Council to consider the proposed change;
- c) Have at least two-thirds of those voting at the extraordinary meeting of Council vote in favour of the proposed change; and
- d) Ensure that the year for the first ordinary whole council election is specified in the resolution. This cannot be the same year(s) as whole council elections for the County Council. The Localism Act 2011 states: 'a district (Borough) election for which there is a county council may not hold an election in a county-council elections year.

Cllr Tumbridge informed the committee this was an information only item and requested members to note the following:

- That group leaders consult with their groups to gauge opinion as to how they wish to proceed and to report back to Chair of PRED as to whether a further item is required for decision.

Reasons for Recommendation

That the Council considers whole council elections for Brentwood Borough Council and whether to proceed to a detailed financial business case on the change to be proposed at a later committee.

172. 2019/2010 Budget Monitoring and Treasury Management Update

This report provides the Policy, Projects & Resources Committee with an update to the 2019/20 General Fund Revenue Budget, Housing Revenue Account and Capital Program that was agreed at Council on 27th February 2019. It is based upon actual expenditure and income from April to July and predicts a forecast for the end of the 2019/2020 financial year.

The report also gives an update regarding Treasury management & investment activity for 2019/20 and in accordance with the Treasury Management Strategy.

The General Fund is currently forecasting a £267K deficit.

On 10th July 2019 meeting, members noted concerns on overspends on certain line items with the 2018/19 Outturn report and asked for these budgets overspends to be explained and informed of cost control measures adopted to reduce future overspends. These specific line items have been addressed at paragraph 3.7.as set out in the report.

The Housing Revenue Account is forecasting a net operating deficit of £267k.

The Capital Programme is forecasting to underspend by £9.539m; the updated position includes slippage brought forward from 2018/19.

The Chairman posed a number of questions that officers felt unable to answer on the night and they promised to send written answers to all members.

Cllr Tumbridge informed the committee this was an information only item and requested members to note the following:

- To note the projected outturn forecasts and the reserve position for 2019/20 as set out within the report.
- To note the Treasury Management Activity and revised Prudential indicators included within the report.

Reasons for Recommendation

Effective financial management underpins all of the priorities for the Council and will enable the Council to operate within a sustainable budget environment.

173. Brentwood Centre - Feasibility Study

This report sets out the requirements to commence works on a feasibility study for the Brentwood Centre building which will inform the overall master planning for the Brentwood Centre site. At Extraordinary Council on 30 July 2019 members agreed the business case for the King George's Playing Fields improvements which included a recommendation for officers to appoint a contractor to undertake a feasibility study for the development of a football hub on the Brentwood Centre site.

Subject to Members agreement to the allocation of £51k to commence the feasibility works, the preferred development envelope for the Centre will be identified, options on a preference of a refurbishment or a rebuild and to identify the indicative costs for each of these options. The feasibility works at this stage will provide high level options for the Council to consider which will need to be agreed by Members before more detailed works are commissioned, dependent on the preferred options coming out of this first stage.

It is also recommended that a Cross Party Working Group be established to look at whether the material function of the Brentwood Centre remains the same, that the core components are still relevant and to also look at other options to ensure that a viable facility mix is developed as part of the overall master planning for the site which will be key to the future success.

Cllr Kendall informed the Chair that the nominated Member from the Liberal Democrats and the Ward Member for Pilgrims Hatch will be Cllrs Aspinell and Mrs Davies.

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report.

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

- That Members agree to the allocation of £51k to commence the feasibility works on the Brentwood Centre; and
- That a cross party working group be established with the Leader of the Council, Deputy Leader of the Council, Chair of Policy Resources and Economic Development, Chair of Community and Health Committee together with one nominated Member from the Liberal Democrats, one nominated Member from Labour and one nominated Pilgrims Hatch Ward Councillor representative that can provide input into the development of the proposals.

Reasons for Recommendation

As part of the Council's due diligence in delivery a successful Leisure Strategy, Members and officers need to have a complete picture of the current associated costs, risk profiles of the Borough's Leisure facilities and identify opportunities for income generation.

Comments from Sport England as part of the Local development Plan consultation, stated that a Leisure Strategy is required that assesses Council owned sports and leisure facilities in order that the Council can continue to work with partners to ensure that appropriate provision is made for the residents of Brentwood. The strategy should not only consider how the Council can provide services, but also how other partners can. The strategy should also use current sports facility evidence to identify strategic priorities to then inform what will be included in the Council's Infrastructure Delivery Plan.

Following this feasibility work, the Council will then be able to determine which projects will be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.

The Council's Asset Management Strategy 2014/15 also sets out the need to obtain and maximise income where possible from its asset portfolio.

The Brentwood Centre feasibility will support the majority of the workstreams of the Council's Leisure Strategy.

The Brentwood Centre development supports the strategic improvement of sport, health and leisure facilities across the Borough which will support the health and wellbeing of the residents and visitors.

174. South Essex Parking Partnership Service Level Agreement

The Council seek to enter into a Service Level Agreement (SLA) (see appendix A) with Chelmsford City Council, the Lead Authority for the South Essex Parking Partnership (SEPP) for the Council's enforcement officers to provide additional parking enforcement patrols.

The intention is to provide additional resources that will allow the Council's enforcement officers to be able to provide patrols outside of normal office

hours covering a range of duties whilst fulfilling our obligations as outlined in the SLA.

The SLA will be for a period of one year with an option for both parties to agree to extend up to 31st March 2022 when the current SEPP Joint Committee Agreement expires.

Under the terms of the SLA the Council will receive an annual sum of £33,000 for providing a minimum of 76 enforcement patrols.

Cllr J Cloke **MOVED** and Cllr Tumbridge **SECONDED** the recommendations in the report.

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

- That the Committee agree to the principles of the Draft Service Level Agreement (Appendix A) for On-Street Parking Enforcement between the Council and Chelmsford City Council, the Lead Authority for SEPP.
- That Members agree to delegate authority to the Section 151 Officer to sign the final Agreement in consultation with the Chair of Policy, Resources and Economic Development Committee.

Reasons for Recommendation

The Committee is being asked to agree to the principles of the SLA between the Council and the lead authority for SEPP.

As outlined in the summary the SLA will provide the funding required for Council enforcement officers to provide additional patrols outside of normal working hours including weekends and Bank Holidays.

The draft SLA has been approved by Members of the SEPP Joint Committee at their last Annual General Meeting.

175. Termination of Meeting

At 9.30pm, in accordance with Rule 10.1 of the Council procedural rules, Members **RESOLVED** to continue the meeting for a further 30 minutes.

176. Asset Development Programme Governance

This report provides details of the revised governance arrangements relating to funding approvals for Asset Development Programme investments.

Members expressed concerns relating to paragraph 6 of the report, outlining more Policy, Resource and Economic Development Meetings to be scheduled in the committee calendar this is due to the commercial nature of the

investment market more pre-planned committee meeting will be required to ensure opportunities can be secured.

Members asked for advanced notice of committee dates. The Chair informed the Members that these meetings will be diarised and Members informed, however this could be cancelled if not required.

Members also raised the issue of any meeting taking within the Election “purdah” period. The Chair advised that meetings could continue to take place during this period. Legal guidance on any issues that may be considered during Purdah would be taken as required.

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations in the report.

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

That the revised governance arrangements for the Asset Development Programme outlined in this report be approved.

Reasons for Recommendation

To approve the revised governance arrangement for the Asset Development Programme.

177. Exclusion of the Public

A motion was **MOVED** by Cllr Tumbridge and **SECONDED** by Cllr Mrs Hones that the public be excluded from the meeting for the items 13,14 ,15,16,17 & 18 of business on the grounds that the disclosure of exempt information as defined in schedule 12A of the Local Government Act 1972.

178. Hampden Crescent Garage Site

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations set out in the report.

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

179. Termination of Meeting

At 10.00pm, in accordance with Rule 10.1 of the Council procedural rules, Members **RESOLVED** to continue the meeting for a further 30 minutes.

180. Service Arrangements

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the amendments by the Chair to the recommendations set out in the report.

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

181. Termination of Meeting

At 10.30pm, in accordance with Rule 10.1 of the Council procedural rules, Members **RESOLVED** to continue the meeting for a further 30 minutes.

182. Less than best consideration - Citizens Advice South Essex Ltd

Cllr Hossack **MOVED** and Cllr Dr Barrett **SECONDED** the recommendations set out in the report.

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

(Cllr J Cloke declared a non-pecuniary interest by the virtue as the liaison through the Rotary to Citizen Advice – South Essex. He left the chamber, therefore did not take part in the vote).

183. Seven Arches Investments Limited Accounts 2018/19

Cllr Tumbridge informed the committee this was an information only item and the requested members to note the recommendation set out in the report.

184. In Borough Site

Cllr Tumbridge informed the committee this was an information only item and the requested members to note the recommendation set out in the report.

185. Housing Benefit Write Offs

Cllr Tumbridge **MOVED** and Cllr Mrs Hones **SECONDED** the recommendations set out in the report.

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

186. Urgent Business

There were no items of Urgent Business.

The meeting concluded at 22.57