

Minutes

Audit and Scrutiny Committee Wednesday, 12th January, 2022

Attendance

Cllr Nolan (Chair)
Cllr Mrs Fulcher
Cllr Haigh
Cllr Hirst

Cllr Jakobsson
Cllr McLaren
Cllr Naylor
Cllr Mrs Pound

Apologies

Cllr Tanner (Vice-Chair)

Substitute Present

Cllr Mrs Hones

Also Present

Cllr Barber
Cllr White
Cllr Hossack
Cllr Aspinell
Cllr Bridge
Cllr Parker
Cllr Pearson
Cllr Poppy
Cllr Ms Sanders

Officers Present

Jonathan Stephenson	- Chief Executive
Steve Summers	- Strategic Director (Deputy Chief Executive)
Ian Winslet	- Strategic Director - Regeneration and Housing Development
Amanda Julian	- Corporate Director (Law and Governance) and Monitoring Officer
Zoe Borman	- Governance and Member Support Officer

LIVE BROADCAST

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256. Apologies for Absence

Apologies had been received from Cllr Tanner and Cllr Mrs Hones was substitute.

In the absence of the Vice-Chair, Cllr Nolan **MOVED** and Cllr Pound **SECONDED** that Cllr Hirst act as Vice-Chair for the duration of the meeting. This was **AGREED**.

257. Minutes of the previous meeting

The Minutes of the previous Audit & Scrutiny Committee held on 7th December 2021 were agreed as a true record.

Councillor Haigh reminded Committee that he had requested further details regarding the reported pension fund deficit of £43.2m and securities around the funds reported in the External Audit Plan at the last meeting. The Chair assured Cllr Haigh that this was currently being prepared by Mrs Van Mellaerts.

258. Chairs update

Following discussion, the report was noted by Members.

259. LDP Working Group report

The Local Development Plan (LDP) Member Working Group is an established engagement between Officers and Councillors focussed on delivery of the Council's Local Plan and related work. Its purpose was approved by Policy, Projects and Resources Committee in September 2017.

The work of the working group is monitored by the Audit and Scrutiny Committee as part of the committee's work programme. This report provides an update on the most recent meetings of the working group.

Cllr Fulcher raised a question relating to Appendix B and paragraph 2.2, the Dunton Hills Garden Village steering group minutes from 14 December 2021 regarding transport and the project to invest in upgrades to West Horndon Station. This matter will be directed to Mr Drane, Corporate Director – Planning and Economy, to answer.

Members noted the report.

260. Scrutiny work programme report

The Constitution requires that the Audit & Scrutiny Committee agrees its Scrutiny work programme at each meeting of the Committee. This report provided an update of the current scrutiny work programme and is set out in Appendix A.

In addition, as requested at the Audit & Scrutiny Committee on 6th July 2021 (min 77 refers) attached at Appendix B for information are the draft minutes of the Brentwood Leisure Trust Working Group held on the 20th December 2021.

Following discussion Cllr Nolan **MOVED** and Cllr Hirst **SECONDED** to approve the recommendations in the report.

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

That the Committee considers and agrees the 2021/22 Scrutiny work programme as set out in Appendix A.

Reasons for Recommendation

The Constitution requires that the Audit & Scrutiny Committee agrees its Scrutiny work programme at each meeting of the Committee.

261. Brentwood/Rochford Partnership

The purpose of this report was to update the Audit and Scrutiny Committee as to the Council's proposals for a strategic partnership with Rochford District Council ("RDC") ahead of a report being presented to an extraordinary meeting of the Council on 26 January 2022 following an extraordinary meeting of RDC on 25 January 2022 that will recommend.

The Committee is invited to pre-scrutinise the proposed contents of the report and the recommendations (in paragraph 3.1) proposed to be brought to the extraordinary meeting of Council, as the same are set out in paragraphs 2-4 inclusive in the report. The purpose of pre-scrutiny is to provide robust and constructive challenge and make any comment or suggestion which will improve the quality of that report before it is published.

Cllrs Hossack, Leader of Brentwood Borough Council and Cllr Wootton, Leader of Rochford District Council presented to Members of the Committee

outlining the report. Angela Hutchings, Strategic Director at Rochford District Council was also in attendance to assist the committee with any enquiries.

Following a full discussion the following further recommendations were presented to Committee to be added to those set out in paragraph 3.1 of the report.

- That the MOU and/or other document that underpins the Strategic Partnership makes provision for member led Conflict Resolution process.
- That the MOU and/or other document that underpins the Strategic Partnership makes clear that whilst the division of the savings achieved as part of the transformation process is to be agreed between the two councils, that the starting point for that discussion should be 50/50.
- That further detail and clarification be provided as to the savings estimated to be achieved by the Partnership; how this would be achieved; the phasing of such savings; and in which financial years they would be realised.

A motion was **MOVED** by Cllr Nolan and **SECONDED** by Cllr Hirst to approve the recommendations in the report.

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

Consider the report and to provide robust and constructive challenge and make any recommendations to Council further to those set out in paragraph 3.1 of this report;

That the MOU and/or other document that underpins the Strategic Partnership makes provision for member led Conflict Resolution process.

That the MOU and/or other document that underpins the Strategic Partnership makes clear that whilst the division of the savings achieved as part of the transformation process is to be agreed between the two councils, that the starting point for that discussion should be 50/50.

That further detail and clarification be provided as to the savings estimated to be achieved by the Partnership; how this would be achieved; the phasing of such savings; and in which financial years they would be realised.

Subject to R1, recommend to Council to adopt the contents of this report.

Reasons for Recommendation

It is proposed that the Council will be asked to consider the following Recommendations at its meeting on 26 January 2022:

- (1) To agree the Strategic Partnership between Rochford District Council and Brentwood Borough Council and that Jonathan Stephenson is the Joint Chief Executive for both councils;
- (2) To approve the Heads of Terms set out in Appendix A;
- (3) That the Joint Chief Executive and the Monitoring Officer of each council, be given delegated authority, in consultation with the Leader of each council, to enter into a Memorandum of Understanding and s113 Agreement to give effect to the Partnership;
- (4) That the Joint Chief Executive be given delegated authority to undertake a restructure of Tiers 2 and 3 of the councils in consultation with the Leader of each council;
- (5) That a maximum of £300,000 (as set out in paragraph 4.2 of this report) be allocated from general reserves to fund the additional programme resource for the Transformation Unit;
- (6) That the Monitoring Officer be given delegated authority in consultation with the Constitution Working Group to make any required changes to the Constitution to give effect to the recommendations in this report.
- (7) That the MOU and/or other document that underpins the Strategic Partnership makes provision for member led Conflict Resolution process.
- (8) That the MOU and/or other document that underpins the Strategic Partnership makes clear that whilst the division of the savings achieved as part of the transformation process is to be agreed between the two councils, that the starting point for that discussion should be 50/50.
- (9) That further detail and clarification be provided as to the savings estimated to be achieved by the Partnership; how this would be achieved; the phasing of such savings; and in which financial years they would be realised.

The Committee is asked to consider these recommendations as part of its pre scrutiny.

262. Urgent Business

There were no items of urgent business.

The meeting concluded at 20:45.

